

ANNALS OF IOWA.

VOL. I. No. 8.

DES MOINES, IOWA, JANUARY, 1895.

THIRD SERIES.

THE PUBLIC SERVICES OF HIRAM PRICE.

BY B. F. GUE.

Hiram Price was born in Washington County, Pennsylvania, January 10, 1814. His father removed to and lived on a farm lying on the banks of the Juniata River, in Mifflin County, about a mile below the little village of Waynesburg. When Hiram was six years old he was sent to a small private school which was kept in the neighborhood as both a day and evening school. This was long before the public school system was established, and what schools there were in the country settlements were private enterprises, sustained by private subscription and kept by the old-fashion traveling country school teachers, who were then mostly men. School books, as well as all kinds of books, magazines, and even newspapers, were not by any means plenty in those days in farm houses, and were among the luxuries that few were able to secure. Mr. Price in recalling the memory of his earliest school days says: "I still have a vivid recollection when a little boy of seven of coming home from the night-school alone, the river on my right and the heavily wooded hills on my left, dark and gloomy, making a lonesome walk for a small boy. On Saturday afternoons, small as I was, I well remember paddling a canoe along the river near the shore to a favorite fishing place in the shade of some great trees, where I anchored my boat with a rope attached to a large stone and spent many an hour alone—angling for the sun-fish." The

school days lasted but from two to three months of the year, and boys were brought up to make themselves useful at farm work as soon as they were large enough to help at any kind of labor. Young Hiram had a taste for reading from the time he was eight years old, and on one of his horse-back rides to the distant mill with a bag of wheat thrown over the back of the animal, he made the acquaintance of an old man who was willing to lend him some books to read. He thus got "Plutarch's Lives," "Rollin's Ancient History," and other books, which he read evenings after the day's work was done, by the light of a tallow candle. In this way the farmer's boy got his first knowledge of the great world outside and began to acquire a thirst for knowledge that a few years later took him from the farm. When he was sixteen years old he got a position in a country store at a salary of twenty-five dollars a year, and board. At the end of eighteen months he had mastered the art of book-keeping by single entry, and his salary was raised to \$200 a year. Brought up to habits of industry and the most rigid economy, the young man had the courage to marry the girl of his choice, Miss Susan Betts, when he was twenty, and getting a salary of but \$300 a year. But he knew he could live somehow and keep his expenses within his earnings, which he did, never running in debt. Years afterward when he had won fame and fortune in the West he wrote to young men: "The world owes no man a living until he has earned it. Industry and economy are worth more in the battle of life than genius or wealth, or influential friends or relations. The industry and economy become a part of the individual, and cannot be taken from him without his consent. The others may all leave him whether he consents or not."

The following extract from a private letter reveals the condition financially of the young man when he ventured to take the most important step in his life: "I was twenty years old when we were married and our combined capital was \$145. So that the contract for life between us had no mercenary tinge to mar its harmony or engender strife. For over fifty years we were one in purpose, one in effort, one in hope. We

took counsel of each other on all subjects relating to our affairs; our efforts and aims were one. Our comforts and our cares were joint stock and common property."

After several years of hard work and rigid economy they had accumulated a capital of \$2,000, which was invested in a piece of real estate. But the title proved defective and the hard earnings were lost. Undismayed by this misfortune, they decided to move to the far West and begin again in a new country. In 1844 they moved to the Territory of Iowa and settled at the little village of Davenport, which then had about 800 inhabitants. When Mr. Price decided to open a little store in the frontier village where he expected to make his future home he had only about a hundred dollars in money. A historian of early times in Davenport writes of him at this time as follows: "His small pecuniary resources were supplemented by a valuable capital of another kind. What he lacked in money was made up in other possessions of greater value—he had youth, energy, perseverance, business tact, stern integrity, was rigidly temperate and conscientious in all his transactions." Could a young man have a better equipment for success in life, starting at the foot of the ladder? Such a man was sure to succeed, and in a few years he had established an excellent business reputation and won the confidence and esteem of the community in which he lived. In 1847 he was elected first School Fund Commissioner of the county under the State organization, which had been established the year before. The next year he was elected Recorder and Treasurer for Scott County, and was continued in this responsible position for eight years, serving with the utmost fidelity until he declined a re-election.

Mr. Price has always been a radical and determined opponent of the use and sale of intoxicating liquors, freely giving his time and money to promote temperance movements and organizations. As early as 1847 he was instrumental in establishing a Division of the Sons of Temperance in Davenport. In February of the next year he was the most influential leader in organizing a Grand Division of the Sons of

Temperance for the State. He was for many years at the head of that organization, and for a long period was annually chosen to represent it in the National Division of North America. In 1854 a movement was made by the temperance workers of Iowa for the establishment of a "Maine Law League," the object of which was to arouse and influence the people of the State to demand the prohibition by law of the sale of intoxicating liquors. Neal Dow, the distinguished temperance apostle of Maine, had in 1851 secured the enactment of such a law in his State, and it had wrought a great reform from the evils of intemperance, and the temperance people of many of the Northern States had organized for the purpose of securing similar legislation. When the "State Alliance" was organized in Iowa, Hiram Price was by common consent made its first President, for he had by this time become recognized by the temperance workers of Iowa as an untiring, uncompromising and fearless leader in the cause. It was determined to urge the enactment of a prohibitory law at the approaching session of the Legislature and bring all possible influence to bear to secure a law that would be effective. Hiram Price, David S. True and John L. Davies, of Davenport, were the three men selected to draft a bill to be presented to the Legislature. They met at Mr. Price's office and there devised and put in legal form the bill which was afterwards enacted into the first Iowa Prohibitory Liquor Law. Dr. Amos Witter, a Democratic Representative from Scott County, was selected to take charge of the bill, and he introduced it promptly in the House on the 13th of December, 1854. It met with most determined opposition at every stage of progress, but finally passed both houses and received the approval of Governor Grimes. The only important change in the bill as drafted by Messrs. True, Price and Davies, was that which submitted the act to a vote of the electors of the State at the April election, for approval or rejection. The friends of prohibition opened an active campaign and secured the adoption of the Prohibitory Law by a majority of nearly 3,000.

A determined organized effort was at once made by the

liquor interest in many of the larger towns of the State to defeat the enforcement of the new law, and the Grand Division of the Sons of Temperance decided to establish a paper in the interest of enforcement. The new paper was established at Davenport and called "The Temperance Organ." Hiram Price was the leading spirit in the enterprise and upon him devolved its editorial management.

That it was courageous, aggressive and able under his direction, it is hardly necessary to state. The first number, which is before me, is a handsomely printed seven-column paper having for its motto, "Be Just, and Fear Not." The leading editorial article thus announces the mission of the new paper: "The money and influence of the brotherhood of liquor dealers and their sympathizers are at work for the repeal of the law. The press—that mighty engine for good or evil—has in many instances been subsidized to aid in the accomplishment of this object; and while this has been the case, not one paper in the whole State of Iowa was found to breast the torrent, except incidentally. This state of affairs called loudly for an organ through which the temperance people of Iowa can be heard—a paper whose great object should be to defend our Prohibitory Liquor Law against its enemies, and to refute the slanders and false charges made against it. We shall ask but one question in all matters pertaining to subjects discussed in this paper, and that is, *is it right?* And if satisfied of this, if persuaded that the cause of justice and humanity will be subserved by it, we shall go ahead without reference to consequences or policy. We will assist to the best of our ability to place demagogues where they belong, and to sweep from existence grog-shops of every size and shape, until the face of this green earth shall know them only as things that were. We are not rich enough to disregard the known wants and wishes of the people, nor are we poor enough to be bought by place and power."

With such a pure and noble purpose did this new paper start out.

In writing of this enterprise thirty years later, Mr. Price

says: "The music made by that 'organ' may not have been very artistic, but no one could fail to understand the character of the tunes. It was published a year and a half, when my money gave out, and the music so far as that organ was concerned ceased. In return for the time and money I expended, I obtained a large addition to my stock of experience. Among the large chunks of knowledge that I acquired in this newspaper enterprise was the fact that it is not always the men who make the loudest professions and longest prayers who are the best Christians. Thousands of people are willing to talk and even *pray* for temperance, but comparatively few are willing to *pay* for it."

The prohibitory law was to go into effect on the 4th of July after its enactment, and the saloon men had made threats of violence against any one who attempted to enforce it in Davenport. Mr. Price and other leaders of the temperance societies had often received letters threatening their property and lives if they undertook to close the saloons. Under the lead of Hiram Price preparations were quietly made to reinforce the officers executing the law in a manner that would be most effective with law-breakers.

Application was made to the military authorities for arms, which resulted in securing a brass six-pounder and fifty-four muskets with bayonets and cartridges. It soon became known that arms had been secured and the saloon keepers and their friends threatened to capture them. They secretly organized a crowd in Davenport which was strongly reinforced by their friends in Rock Island. At the hour agreed upon they came together on the 4th of July with the avowed purpose of capturing the arms, and directed their line of march towards the place where the cannon was kept. Many of the temperance guard were absent attending celebrations, but Hiram Price happened to be down town and heard the threats of the gathering mob. Hastily securing some powder and bullets, he hurried to where the cannon was kept, warning out such of his friends as he met on the streets. Thirteen determined men were soon at the rendezvous and had barely time to get

their field piece loaded and in position before the mob was seen advancing upon them about 200 strong. It was a moment of intense excitement. The cannon was in position to sweep the street upon which the mob was advancing, and supported by thirteen cool, determined men with loaded muskets and fixed bayonets. Mr. Price was in command, and as the mob advanced he gave his orders to his little band to make no movement until he discharged his revolver—then to fire the cannon, and immediately re-load and fire again, then use the bayonets. Price then slowly walked out towards the advancing crowd, presented his revolver, and ordered the howling mob to halt! To his surprise they stopped. Pointing towards his little command, he addressed the crowd in the following words: "That cannon is loaded with bullets to kill. When I fire this pistol that cannon will be fired." Marking a line across the street, he continued: "If you cross this line I shall fire this pistol. You have fair warning—if you disregard it you must take the consequences."

The mob hesitated, the front rank began to fall back, and in a few minutes they retired to a safe distance. While there was no man living more cordially hated by them than Hiram Price, they knew that *he always kept his promises*. That ended the attempt to disarm the prohibitionists, but it by no means terminated the contest between the opposing forces.

To the day that Mr. Price removed from the State he never ceased to use his influence and contribute of his means to sustain the law he was so largely instrumental in placing upon the statute books of Iowa.

He has never wavered in his lifelong warfare on saloons, has never hesitated to strike hard and heavy blows at crimes against law and society, and has never withheld the expression of his earnest convictions from considerations of policy or fear of consequences personally or politically.

When others became lukewarm or discouraged, he remained firm; when party policy dictated compromise with the saloon interest, he raised his voice and wielded his pen with the old-time vigor of youth in protest. When the history of Prohibi-

tion is written for Iowa, no name will rank higher among the leaders and unflinching advocates of the cause than Hiram Price.

In 1853 a railroad was projected from Chicago westward to some point on the Mississippi River. Work had been begun upon the eastern end of it, and the citizens of Davenport held a conference for the purpose of inducing the company to locate its line through Rock Island, Davenport, across Iowa westward to Council Bluffs. Mr. Price was chosen to visit the chief towns along the proposed route and get them interested in the project. This was the initial movement which resulted later in building the great Rock Island Railroad through Iowa, and on westward towards the Pacific Ocean.

In 1869 a railroad was projected from Davenport northward, and Mr. Price was chosen President of the company. He put \$10,000 of his own money and all of his unsurpassed energy into the enterprise, and built the road to Maquoketa and equipped it. He also built a portion of the branch running northward via Wheatland. It is a notable fact that there were no jobs for friends or favorites in the construction and equipment of these roads. Everything was done on principles of the strictest integrity and in the interest of the stockholders who had furnished the money to build the road. No combination of influential parties was able to swerve the President from the faithful execution of the trust placed in his charge. While the road was beneficial to Davenport and the country it passed through, it was not a profitable investment to the men who furnished the money to build it and Mr. Price never realized a dollar from the enterprise.

Mr. Price had been a Democrat all the early years of his life and after he settled in Iowa was an active member of that party. He was the Democratic candidate for the first offices he held in this State. But the position his party had gradually been taking for several years in defense of the encroachments of slavery in the new Territories had alienated him from it. He was not in harmony with a majority of its members on the license of the sale of intoxicating liquors, and with thousands

of other Democrats in the Northern States was ready and anxious to ally himself with a party whose principles accorded more nearly with his own convictions of right and wrong.

On the 22d of February, 1856, there assembled at Iowa City a notable body of representative men of the State in response to a call for the organization of a Republican party. Former members of the Whig, Democratic and Anti-Slavery parties came together to make common cause against the aggressions of the slave power. Old party ties were severed, and a union of all opposed to the extension of slavery was the object of the convention.

The advocates of the Prohibitory Liquor Law under the lead of Hiram Price made a vigorous effort to secure in the platform to be adopted a recognition of their cause. The German voters, who were numerous in several of the river counties, were almost a unit in opposition to slavery and were ready to leave the Democratic party and unite with a new organization making common cause against the extension of slavery into the new Territories. But they were also opposed to the Prohibitory Liquor Law.

It was contended by those who were opposed to an indorsement of prohibition, that the paramount issue was opposition to the extension of slavery, and that this convention was called for the purpose of organizing all who held views in common on that subject into a political body to co-operate with the then rising Republican party in the Northern States in resisting the demands of the slave power. That no other issue of a local character ought to be permitted to divide the anti-slavery people or alienate a portion of them from the new party. That with union and harmony the new party could control the State and secure anti-slavery representatives in Congress, but by introducing other issues fatal divisions would ensue, leading to defeat. The advocates of prohibition met these objections and arguments with powerful appeals to the delegates *to do right*, and trust to the fidelity of the voters to give them victory.

Hiram Price was chairman of the Scott County delegation,

the largest in the convention, and was the leader of the Prohibitionists. Under his inspiration an able and vigorous contest was made for the incorporation of prohibition into the platform of the new party. But a majority of the delegates were of the opinion that the only issue should be made on slavery extension, where all could agree and work in harmony.

The Prohibitionists acquiesced in the decision of the majority, and a new party was organized which was destined to rule the State and Nation for a third of a century.

During his residence in Iowa Mr. Price had been successful in his business enterprises, and in the official positions he had held, and had acquired the reputation of an able financier. When the act of the Legislature of 1858 providing for a system of State banks took effect, he represented one of the branches, and after the first year was chosen President of the State Bank, which office he held until that system was superseded by the National banks in 1865. No better State bank system has ever been devised than this Iowa law brought into existence. Many of the features of the National banking system were suggested by the Iowa law and had here been found by the experience of seven years of successful trial to be well adapted to the exigencies of the business. The men who had organized the Iowa banks and supervised their business during the period of their successful career, retired with the reputation of able and trustworthy financiers.

When the great Rebellion suddenly came upon the country, the Northern States were entirely unprepared for war. They were generally destitute of efficient military laws to meet such an emergency, and no money was available to provide for the extraordinary expenses that must be incurred in furnishing troops in response to the calls of the National Government. While Governor Kirkwood was waiting for funds from the sale of State bonds authorized by an extra session of the Legislature, two Iowa regiments had hastened into the service. The young men composing these regiments had left their homes on short notice and generally with very little money to supply their wants. The State undertook to pay the sol-

diers until they were mustered into the United States service, but no money had yet been realized from the bonds. Hiram Price had learned of the destitution of the boys and wrote to Governor Kirkwood: "Governor: Cannot something be done immediately to furnish these men some money? If taken sick many of them have not money to buy an orange." To this the Governor replied: "You are right, Mr. Price, but what can we do? We have no money." In reply Mr. Price wrote: "I can raise a few thousand dollars and I feel that something ought to be done at once, if it is ever so little, to show these men that they are not forgotten."

This correspondence brought about a conference which resulted in the speedy raising of \$33,000. Of this sum Hiram Price raised \$22,000 and Ezekiel Clark of Iowa City raised \$11,000, becoming personally responsible for these amounts.

Governor Kirkwood gratefully accepted the money tendered by these two patriotic citizens and promptly commissioned them to proceed to Missouri where the regiments were engaged in active service and make the first payment to the soldiers. It was a hazardous mission that Price and Clark undertook as the portions of the State where the Iowa regiments were stationed were infested with Confederate recruits hastening to join General Sterling Price's rebel army.

The 2d Iowa regiment was found guarding bridges on the Hannibal & St. Jo. Railroad, and \$11,000 was paid to them. Soon after, Mr. Clark, who was acting Quartermaster General, was called away on urgent business, and Mr. Price proceeded alone to find the 1st Iowa regiment, which was in central Missouri, in General Lyon's command. It was just before the battle of Wilson's Creek. The whole State was at this time in a condition of anarchy. Many of its public officials and leading citizens were actively engaged in enlisting soldiers for the Confederate service, obstructing railroads and organizing guerilla bands to destroy Government property, and cut off recruits and supplies for the Union armies. Hiram Price now began his journey to find the regiment. When he approached Jefferson City a section of the railroad was found to be in the

hands of the rebels, and a portion of his journey was made on foot through the enemy's country. But he succeeded in reaching Booneville in safety and there found and paid \$11,000 to the 1st Iowa Infantry, a few days before the battle of Wilson's Creek. Returning to Keokuk he paid the 3d Infantry \$11,000 before it left for the South.

When the first arms were sent to Burlington by the General Government to aid the Governor of Iowa in expelling the rebel bands from Missouri who were plundering the people of the border counties, the express company held them for \$900, charges which the Governor had no money to pay. When the first bales of blankets for Iowa soldiers were sent to Davenport, they were held for \$500 charges for transportation. In these and other financial emergencies Hiram Price came promptly forward and raised the money upon his own personal credit, and loyally stood by Governor Kirkwood in these perilous and critical times. He never hesitated from prudential considerations, as so many thousands of monied men did, but freely risked his fortune as well as his life whenever emergencies required it. Few citizens of Iowa, of the present generation, will ever know how loyally such men as Hiram Price, Ezekiel Clark, J. K. Graves, W. T. Smith, W. F. Coolbaugh, and a few other able financiers came to the aid of our State Government in those trying times. Young men were plenty in those days who were willing to risk their lives for their country, but capitalists who were as ready to risk their fortunes in behalf of the same good cause were not numerous.

During the darkest days of the rebellion, when the first draft had been ordered to reinforce the Union armies, Henry Clay Dean held a meeting in Davenport. The hall was crowded with disloyal people who were known as "Copperheads." Dean's speech was undoubtedly the vilest denunciation of Lincoln's administration ever uttered in Iowa. A little group of Republicans occupied a seat in an obscure corner of the room, among whom was Hiram Price. I remember one part of Dean's terrific assault upon the Government was substantially in these words: "There is a singular resem-

blance between Claudius Nero and Abraham Lincoln. Nero put Christians to death under false pretenses to gratify the worshipers of the Pantheon. Lincoln corrupted one part of the church to engage in warfare with the other part, and burned twelve hundred houses of worship; mutilated graveyards; dragged ministers from their knees in the very act of worship; tied them up by their thumbs; had their daughters stripped naked by negro soldiers, under command of white officers."

When Dean had finished his venomous speech Hiram Price sprang up on a bench, every fiber of his loyal heart quivering with indignation, as his clear voice rang out: "Mr. President, may I be permitted to reply to Mr. Dean?" "No," shouted Dean, "we want none of your black abolition speeches here. The meeting is adjourned—boys, let's go," and he started for the door, followed by his friends. Hiram Price shook his hand at the retreating crowd and exclaimed in a voice that rang out like a bugle blast: "Henry Clay Dean, I will give you ten dollars if you and your gang will hear me ten minutes in reply to your infamous harangue." But nothing could stop the stampede. They knew Hiram Price too well to permit him to pour the hot shot upon their heads. Dean, without replying, led the wild flight into the street out of reach of the impending excoriation.

All through the anxious years of the war Mr. Price was one of the pillars of strength to our State Government in the herculean work it had to do. His time, money, services and counsel were always freely given, with a promptness which inspired confidence and strengthened the timid and wavering. It was during this period that he was first called upon to represent the Second District in Congress. In the dark days of 1862 he was nominated by the Republicans, and at the close of a vigorous and aggressive campaign was elected by a majority of over 3,500. As a member of Congress Mr. Price was an earnest supporter of the most energetic war measures, as well as of all legislation required to strengthen the credit of the National Government.

In 1864 he made an able speech in support of the bill to establish The Freedmens' Bureau.

At the Republican State Convention held in Des Moines in June, 1865, Edward Russell, a delegate from Scott County and editor of the *Davenport Gazette*, offered an amendment to the platform reported by the committee on resolutions, which aroused a warm discussion. The amendment was as follows: "Therefore, we are in favor of amending the Constitution of our State by striking out the word *white* from the article on suffrage."

The purpose of the amendment was to remove the last remnant of race discrimination from the laws of Iowa. Many of the timid delegates were alarmed and made strong efforts to persuade Mr. Russell to withdraw his resolution. But he refused, and made a vigorous defense of his measure. So radical an anti-slavery man as J. B. Grinnell feared that its adoption, which meant negro suffrage, would defeat the Republican ticket. Hiram Price took the floor after several delegates had opposed the amendment as impolitic, and made one of the great speeches of his life.

"The Republican party," said he, "is strong enough to dare to do *right*, and cannot afford now, or at any other time, to shirk a duty. The colored men, North and South, were loyal and true to the Government in the days of its great peril. There was not a rebel or traitor to be found among them. They ask the privilege of citizenship now that slavery has been forever banished from our country. Why should the great freedom-loving State of Iowa longer deny them this right? Not one reason can be given that has not been used to bolster up slavery for the past hundred years. The war just closed has swept that relic of barbarism from our land; let the Republican party have the courage to do justice. I have no fear of the result in a contest of this kind. We shall carry the election and have the satisfaction of wiping out the last vestige of the black code that has long been a disgrace to our State." After the lapse of nearly thirty years it is impossible to give anything like a graphic report of this speech—for it

was entirely impromptu, and never reported or published. But those who heard it will never forget the fervid eloquence, the sledge-hammer logic, or the powerful and irresistible appeal poured forth in a torrent of righteous indignation that has seldom been surpassed. The timid delegates were shamed into silence by the eloquence of the fearless leader, and right prevailed over policy. The Russell amendment was adopted and carried into effect by the required legislation, thus wiping off from the statute books of Iowa the last remnant of race discrimination.

Mr. Price was one of the founders of the Soldiers' Orphans' Home at Davenport, which cared for the children of soldiers who gave their lives for their country in war times, and has always remained one of its most influential supporters.

He remained in Congress for three terms, giving loyal support to the measures of reconstruction as enacted by the Republican majority following the suppression of the great rebellion. At the close of his third term he declined a re-election. In 1876 he was again sent to Congress from his old district, remaining there two terms.

On November 7, 1877, Mr. Price made a speech in the House strongly advocating the resumption of specie payment. On the 15th of the next January he made an able speech in favor of remonetizing silver and making it a legal tender in payment of debts. In the course of his argument he said: "No nation attempts to demonetize silver and adopt the gold standard *while she is a debtor nation*. But when a nation becomes a creditor nation, her interest may be to have gold alone as the standard, and the dearer they can make the gold the better for them. The effect is to make money dear and labor cheap, and no amount of special pleading or sophistry can avoid this stubborn fact. We who advocate the restoration of silver as it was prior to 1873 are not repudiators. We seek to avoid no contracts or obligations; we want no silver dollar that is not as good as any gold dollar. The acts of 1873-74 took from our people what for long years and under all circumstances had been a sound, reliable and current coin

of the nation, and now in the name of the oppressed and suffering industries of the country we demand the restoration of what was wrongfully taken from us. We are not speaking of legislation for bullion, either gold or silver. We are legislating for gold and silver coined, and made the legal-tender money of the nation as contemplated by the Constitution of the United States. We are laboring to get back the dollar that has been tried in every condition, and under every variety of circumstances, in this country, and never found wanting."

Iowa has been unusually fortunate and influential in its representatives at Washington for more than a quarter of a century. But it never had a stronger array of genuine statesmen than during the closing years of the great rebellion. James Harlan, James W. Grimes, James F. Wilson, Hiram Price, William B. Allison, Josiah B. Grinnell, John A. Kasson and Asahel W. Hubbard made an array of talent and influence that has never been surpassed by any State in its Congressional delegation.

A paper published at his old home says of Mr. Price's religious associations: "A life-long Methodist, he has been an active supporter and liberal contributor to the church of his choice. In early days when the members were few in number, and all were pretty close to the foot of fortune's financial ladder, Mr. Price agreed to do all the sexton's work for one year, on condition that no collections should be taken up for incidental expenses. He swept out the frontier mud and cleaned the smoky oil lamps with the same vigor and thoroughness that have since characterized his work as banker, railroad president, congressman, Indian commissioner and philanthropist." At the fiftieth anniversary of the church, in 1889, he said: "During my fifty-seven years as a member of this church I have been sexton, steward, trustee, class-leader, Sunday-school superintendent, delegate to two General Conferences, and am just as proud of having been sexton as of the other positions."

In 1881, at the close of his last term in Congress, Mr. Price was appointed by the President Commissioner of Indian

Affairs. He entered upon the work of his new position with his usual zeal and energy, and for four years labored to better the condition of the Indians, and reform some of the methods of dealing with them by the Government. He was now nearly seventy years of age, and had since boyhood led an active life, toiling early and late, in both private and public affairs. Whatever business claimed his attention was prosecuted with untiring vigor and generally led to success. For more than thirty years he had been a leader in reform, financial and political affairs in the State. From youthful poverty he had won a competence; in the temperance movement he was conceded the highest rank; in financial enterprises he had achieved great success; in official life his record was above suspicion, and his influence was second to none in the State.

As a public speaker Mr. Price never resorted to the artifices of the professional orator. He did not care to amuse his audience with a stock of anecdotes sandwiched in at regular intervals to raise a laugh or win applause. He never "posed" for effect, nor did he ever seek occasions to make speeches for the purpose of advertising himself. When he spoke in public it was certain that he had something to say, and he went at it in the most direct and straightforward manner. There was no policy, no honeyed phrases to please the ear and conceal an opinion. He used the plainest English, looking his audience squarely in the eyes; he held their closest attention and aroused the highest degree of enthusiasm by his fearless and earnest utterances. No one could mistake his position. It was always taken and maintained with a positiveness that left no room for doubt. He never waited to catch the drift of the popular breeze, but always led off, prompted only by his convictions of right and wrong. He was never a compromiser, but on the contrary was one of the most vigorous fighters of the times. When overborne by the majority he acquiesced gracefully, not because he was convinced that the decision was right, but because he was loyal to the fundamental principle of our republican government—that the majority should rule. He made bitter enemies in his life-long war against evil-doers,

but intense as was their hatred, they secretly entertained a profound respect for a foe so valiant and sincere.

Mr. Price was often urged to become a candidate for Governor, by friends who recognized his superb executive ability, but he did not care to enter into a contest for that exalted position, and is content to live a quiet life as old age approaches. One of his last kindly remembrances of his old Davenport home was a recent gift to the public library of that city. He set aside an amount of money, the interest of which is used to furnish a free reading room with thirty of the best magazines, weekly and daily papers. He also furnished and fitted up a commodious room where the people have free access to the best current literature of the times.

And now past eighty years of age, his mental vigor unimpaired, he is living a quiet life in his Washington home. Our Iowa people remember and honor him for his noble life work in behalf of our great State, and his name will be for all time associated with the stirring events of the brightest pages of its history.

The steel portrait which appears with this article was engraved from a photograph of Mr. Price taken in 1878.

FORT ARMSTRONG.

BY MRS. MARIA PECK.

Upon the large and beautifully wooded island in the Mississippi now occupied by the splendid piles of solid masonry comprising Rock Island Arsenal, picturesque and solitary Fort Armstrong once stood.

To ascertain the initial facts underlying the history of the establishment of this military post in 1816, it is necessary to go back to the earlier years of the century and review the

most important incidents upon which was based the claim of the United States to an immense and valuable tract of country then in the possession of the Indians.

In the year 1700, as nearly as the date can be determined, the federated tribes of Sacs and Foxes—or Sauks and Reynolds—came from the vicinity of Green Bay and established themselves on the eastern bank of the Mississippi near the mouth of Rock River.

According to their own traditions, both tribes originally came from Canada. The date of their migration to the upper lake region is not definitely known, though Father Hennepin speaks of the Foxes as residents on Green Bay in 1680, and another writer of the existence of a Sac village on Fox River in 1689. There is very good authority for the supposition that they both descended from the great Chippewa nation. It is known that the Foxes found and fought their way to their new home first, and when joined some years later by the Sacs, were in such a weakened condition from an encounter with the allied forces of the French and Indians, followed by frequent attacks of other hostile tribes, that they were unable to maintain themselves longer as an independent nation.

The Sacs in their wanderings had fared better though they had suffered from a war with the Iroquois. So, in addition to an affinity of kinship, the stronger bond of mutual protection induced the formation of a union—a relation which was sustained uninterruptedly for upwards of a century. The confederacy was governed by two sets of chiefs, the civil and military; each had separate and distinct powers conferred upon it, though in all matters involving the sale of lands, the making of important treaties or declaration of war, the two ruling powers, to make such transaction valid, must act conjunctively. When they finally settled in the surpassingly beautiful and fertile Rock River region, the principal Sac village—the one of historic fame—was located on the isthmus or point of land formed by the junction of Rock River with the Mississippi, about four miles below Rock Island. This

village became in time one of the largest, most populous, and prosperous of the Indian villages on the continent.

Having secured by conquest a footing, these enterprising and indomitable people were not content until they had subjugated their southern neighbors and added to their possessions rich and extensive hunting grounds, where in a more genial climate they could spend the winter months. After gaining the supremacy they sustained themselves as masters of the country, not only against their ancient and implacable enemies, the Sioux, and other warlike nations, but against a powerful federation. Nevertheless these Indians, of whom it has been said, that they had more courage in battle than wisdom in council, in the year 1804 ceded to the United States all of their possessions east of the Mississippi River for a most insignificant compensation.

The complications and disagreements that followed the consummation of this treaty caused all the serious difficulties that subsequently arose between the Government and the Indians down to and including the final struggle that resulted in their expulsion from the country east of the river, and almost the extinction of one of the bravest tribes that ever wielded a tomahawk or followed a trail in the Mississippi valley.

In the first article of the famous treaty, the Sac and Fox Indians were received, with much show of interest, into the friendship of the United States and full protection guaranteed them. For and in consideration of these valuable assets, including two thousand two hundred and thirty-four dollars and fifty cents in goods delivered at the time, and a promised annual stipend amounting in value to one thousand dollars in goods, the United States acquired a title to twenty millions of acres of land. Article VII of the treaty contains its redeeming feature. It reads as follows: "As long as the lands which are now ceded to the United States remain their property, the Indians belonging to the said tribe shall enjoy the privilege of living and hunting upon them. The treaty was negotiated at Saint Louis, November, 1804. William Henry Harrison,

Superintendent of Indian Affairs for Indiana Territory and the District of Louisiana, acted for the Government and five representatives of the united Sac and Fox nation in behalf of the Indians."

Many of the most prominent chiefs afterward repudiated the treaty, saying that it was unauthorized, fraudulently obtained, and therefore invalid. Black Hawk in his autobiography gives an explicit account of the incidents which led to its execution. It had its origin according to his story in this way: one of their number had killed a white man and was arrested and imprisoned at Saint Louis for the offense. A council was called at the Sac village on Rock River (Black Hawk's village) to consider the best means of obtaining his release. It was decided that a deputation consisting of four men be sent to confer with the Indian authorities at Saint Louis with instructions to offer money and horses, after their own way of dealing in such matters, as a ransom. While there on this business it was claimed that these delegates were made drunk and in that condition induced to sign the objectionable treaty. When they returned, after a protracted absence, it was observed that they acted strangely, were dressed in fine clothes and wore medals, but could give no very satisfactory account of the mission with which they had been charged. They reported that the agents wanted some of their land and that they had agreed to give it to them, but the full import of the transaction was not understood until some time later. After a critical examination of all of the available evidence General D. W. Flagler, in his History of Rock Island Arsenal, says: "Other facts of history and the treaty itself seem to prove that this story, or at least its application, was without good foundation." Still, judging of this matter from whatever bias modern historians may choose to give it, the conscientious student of history will hardly be able to divest himself of the conviction that there was something unfair about the treaty and irregular, if not intentionally dishonorable, in the way that it was obtained. The persistent efforts of the Government in

after years to secure its confirmation may be construed into an admission of its weakness.

Through the artful machinations of the English, and on account of the bad faith of the Americans in not fulfilling their pledges to furnish the Indians with supplies upon the same favorable terms given by the English, Black Hawk and two hundred warriors were persuaded to join the British army in the war of 1812. This contingent under the leadership of "General Black Hawk" was ever afterward known as the "British Band." The participation of this party in the war furnished a pretext for inviting all the chiefs of the two nations to a general peace conference held at Portage des Sioux sometime after its conclusion. The Fox chiefs and warriors responded and joined in a treaty of peace in which was incorporated a ratification of the one of 1804. Black Hawk and his followers refused to attend the meeting, though a short time after a treaty of similar import was effected with a party of Sacs.

It has been alleged that Black Hawk signed the latter, but he strenuously affirmed that he did not, and from the fact that another invitation to the Sac chiefs to attend a meeting at Saint Louis was issued the following year, it would appear that his statement must be accepted as the more reasonable. This conference was called for the avowed purpose of concluding a new treaty that would bind the war faction of the Sac nation to the provisions of the old ones. Twenty-one chiefs, including Black Hawk, attended, and on the 13th of May, 1816, a new document was executed and signed by all the chiefs present. But this did not terminate the troubles, for afterward Black Hawk complained bitterly that he was deceived and did not know when he touched the goose quill to the treaty that he was consenting to give away his village.

A general feeling of uneasiness caused by the continued unfriendly attitude of the Sacs and Foxes, and their evident disposition to contest the claim of the Government to their lands, resulted in a regiment of infantry under Col. R. C. Nichols being started from Saint Louis for Rock Island to establish a

fort in September, 1815. The troops with necessary supplies were transported in keel-boats, but before their destination was reached the river was so obstructed by ice that they were compelled to abandon the expedition until the following spring.

The troops under General Smith finally landed upon Rock Island in May, 1816. The construction of the Fort was immediately begun, and in honor of the Secretary of War was called Fort Armstrong. After a temporary stay on Rock Island, General Smith left the work in charge of Colonel Lawrence and passed on up the river to Prairie du Chien to establish another post.

It was estimated that the united Sac and Fox nations numbered at that time 11,800 persons, all living in villages on both sides of the Mississippi near Rock Island.

The day following the arrival of the troops on the Island General Smith sent messengers to all of the villages with an invitation to their chiefs to meet him in council, but no attention was paid to the request. The Indians at first looked with unfriendly eyes upon the project, for they knew only too well the significance of a garrisoned fort in their immediate neighborhood. The island itself had long been used by them as a sort of pleasure park; it was held in special veneration because it was believed to be under the supervision of a good spirit, whose habitation was in a cave in the rocks near the site of the fort. No forcible resistance, however, was made to its erection, though it appears that an unsuccessful attempt was made which probably, if it had not been frustrated, would have resulted in a surprise and massacre of the encampment.

One day, while a large party of soldiers was engaged some distance away in cutting timber, a party of warriors approached the island on the north side in canoes and after landing danced up to the encampment and wanted to enter the commander's tent. At the same time another large party headed by Keokuk was discovered coming over a ridge on the south side. The sound of the bugle quickly recalled the soldiers to their post, and in a very short space of time 600 men were under arms with the cannon ready for action in front of the

encampment. The warriors immediately dispersed and the contemplated attack was averted.

The following description of the completed fortress is taken from General Flagler's History of Rock Island Arsenal :

" The interior of the fort was 400 feet square. The lower half of the walls was of stone and the upper half of hewn timber. At the three angles, the northwest, southwest and southeast, block houses were built and these were provided with cannon. One side of the square was occupied by barracks and other buildings. These were built of hewn timber with roofs sloping inward as a protection against their being fired by the Indians, and that they might not furnish a safe lodging-place for the enemy in an attack. The fort was placed at the extreme angle of the island. Its northwest corner was about 200 feet from the present location of the island end of the bridge."

The unrivalled beauty and peculiar charm of scenery attaching to the island and surroundings, when found as mother nature finished it, has been the theme which has inspired many of the most exquisite word pictures ever drawn by pen. Lieutenant Pike in 1805 was captivated by its wondrous loveliness, and James Hall, author of the History of the North American Indians, in 1829 paid the varied scenic attractions of this historic region a long and beautifully worded tribute.

Governor Ford, in his History of Illinois, gives a splendid description of Fort Armstrong and the "romantic wilderness" in which it was set, as it appeared to him when he first saw it in 1831. He compares "the white-washed walls and tower of the fort perched upon a high cliff, as seen from a distance, to one of those enchanted castles in an uninhabited desert, so graphically described in the Arabian Nights."

After the completion of Fort Armstrong nothing occurred to disturb the peaceful and friendly relations early established between the occupants and the Indians until the trouble arose which culminated in the Black Hawk war. The Indians continued going south in winter on hunting expeditions and while absent their villages were left unprotected. In the



FORT ARMSTRONG.

winter of 1828, a number of lawless individuals, called at that time squatters, took possession of Black Hawk's village and on his return contended with him for its occupancy. Ordinarily the Indians would have been equal to an emergency of this kind, but either from motives of policy or a sincere desire to avoid trouble with their white neighbors, no attempt was made to avenge their wrongs by a resort to violence. The aggressors, emboldened by the seeming good nature of the Indians, continued to annoy them until retaliatory measures were at last provoked. Black Hawk, especially, resented the introduction of whisky among his people, and to prevent it, resorted to some vigorous and effective prohibition methods. Thereupon the intruders appealed to the authorities for protection, and without regard for the merits or justice of the case, this flimsy pretext was used as an excuse for selling, prematurely, a few sections of land on Rock River, including the one occupied by the Sac village. As has been seen by one of the provisions of the treaty of 1804, the Indians were not tenants at will, but retained the right to live upon their lands until they were sold. It is perfectly apparent that the expedient of disposing of a small portion was resorted to for the sole purpose of dispossessing them of this right. The transaction furnishes another exemplification of the political creed of might as well as a strange inconsistency, for at the same time that the Government was insisting upon the fulfillment of the letter of a compact on one hand it was openly violating its spirit on the other.

A peremptory order for the removal of all Sac and Fox Indians to the west side of the Mississippi quickly followed the sale. Keokuk, a popular and rising young war chief listened to the counsel of his friends at the fort and with a large party of followers settled on Iowa River. Black Hawk was not so complacent, and persistently refused to give up the home to which he was so deeply attached. Meanwhile matters between the trespassers and the remaining Indians grew more and more aggravating, until a second appeal was made for protection. This brought General Gaines with a regiment

of soldiers from Jefferson Barracks, and Governor Reynolds of Illinois with 1,600 mounted militiamen to the scene. General Gaines, wishing to accomplish the ejection of the Indian tenants, peaceably if possible, called a general council at Fort Armstrong, and might have gained his object sooner if he had better understood the spirit and temper of the people with whom he was dealing. He began with a speech which was admirably calculated to kindle the hostility of those whom he desired to conciliate. Among other things he called for the reading of the treaty of 1804. This brought Black Hawk to his feet with some very forcible and convincing arguments concerning its invalidity. The General then asked: "Who is Black Hawk? Is he a chief? By what right does he appear in council?" The old chief, highly indignant, wrapped his blanket about him and stalked out of the room.

The following day, after resuming his seat, he arose and said: "My father, you inquired yesterday, who is Black Hawk? Why does he sit among the chiefs? I will tell you who I am. I am a Sac, my father was a Sac; I am a warrior and so was my father. Ask those young men who have followed me to battle and they will tell you who Black Hawk is. Provoke our people to war and you will learn who Black Hawk is."

Because of this rupture the conference resulted in the refusal of the Indians to vacate their village. A more dispassionate view of the situation was arrived at later, and in a few days the Indians quietly withdrew from their village, crossed over to the west bank of the Mississippi and encamped under the protection of a white flag. On the 30th of June, 1831, a council was again summoned at the fort, a treaty of peace concluded, the memorable treaty of 1804 again ratified, and an additional pledge exacted from Black Hawk that he would not recross the river, duly incorporated. The motives which led to the violation of this stipulation the following year, have been variously interpreted. The re-appearance of the old chieftain, accompanied by a few hundred of his faithful adherents, was construed at the time into a hostile intention to re-occupy his old village, whereas, it would seem now that, whatever ulterior

designs he may have entertained, the rash act was undertaken with nothing more serious in view than the acceptance of an invitation from his old friends and neighbors, the Winnebagoes, on the upper part of Rock River to pay them a visit and raise a crop of corn on their lands.

The note of alarm was immediately sounded ; an order issued by General Atkinson for their return was ignored, and decisive measures were at once instituted to compel obedience. The Black Hawk war followed—a useless conflict in which in addition to the sacrifice of many lives both the national honor and treasury suffered. A few thousands of dollars in connection with a spirit of sincere good will would have at almost any time secured the territory in dispute, and the peaceful removal of the Indians to their lands west of the Mississippi.

It is a fact worthy of mention that only a short time prior to the events which precipitated the final contest, six thousand dollars paid to the disaffected fragments of the Sacs and Foxes would have effected the substantial results achieved by the war, and quieted all complaints. The Government refused to compromise, and waged a war of extermination during which the flag of truce, held sacred by all the civilized nations of the world, was twice fired upon. The war cost two million dollars. The treaty made by General Scott with the Indians at the conclusion of the war terminated at last the difficulties and also added six million acres west of the Mississippi (afterwards comprised in the State of Iowa) known as the "Black Hawk Purchase," to the territory of the United States. Owing to the fact that an epidemic of cholera was raging among General Scott's troops detained at Fort Armstrong, all the deliberations connected with this important treaty were conducted in a tent on the west bank of the river. The ground occupied was the site upon which was afterward built the first house erected in the city of Davenport. Black Hawk and a few of his adherents were held as hostages, and with a view of impressing them with the vastness of the country, the numerical strength and greatness of the people, they were taken to Washington and from there through many of the large cities of the East.

Probably no more pathetic, affecting, and in some respects more ludicrous scene was ever enacted at Fort Armstrong than the closing one in the long series that formally severed all connection of the Sacs and Foxes with their old homes, and also achieved by the intervention of the Government the humiliating subjugation of the broken, but true-hearted son of the wilderness, Black Hawk, and the official recognition of his powerful and hated rival, Keokuk, as the leader of his nation. Upon the arrival of Major Garland with his captives at the fort, a grand council was convened so that the liberation of the prisoners might be attended with the most impressive and imposing ceremonies. "The princely Keokuk," who was expecting the party, was encamped in the vicinity, and came up to the island in a style that befitted his newly acquired rank and the occasion. In two canoes lashed together side by side, fantastically decorated and covered by a canopy, the stars and stripes floating from above, sat Keokuk and his three wives. His approach was announced by the sound of Indian drums and the wild shouts and songs of his followers; next came a fleet consisting of twenty canoes in which were seated the chiefs and one hundred warriors. The most careful attention had been bestowed upon their toilets, and the spectacle as they moved slowly up to the island is said to have been exceedingly brilliant and novel. The commodious council room at the fort had been fitted up for the occasion with more than usual barbaric splendor. Major Garland acted as chief speaker for the Government. The delicate business, however, of announcing to the assembled chiefs and warriors that the deposed chieftain must henceforth conform to the counsels and authority of Keokuk was indiscreetly managed, and the fiery spirit that once animated the illustrious warrior was again manifested. Serious difficulty was averted by the timely and pacific words of the eloquent, talented and politic Keokuk and the friendly advice of Colonel George Davenport, to whom Black Hawk was sincerely attached.

The pomp and magnificence of Keokuk and his party, the discordant surroundings and ostentatious ceremonies, little ac-

tormented with the melancholy mood of the fallen hero, and in his mind added an unnecessary drop to the bitter cup that had been forced upon him; yet with the exception of the episode referred to, he maintained throughout the conference a dignified but respectful silence.

When the banishment of the last remnant of the Sacs and Foxes from their villages, for which they entertained, says General Flagler, "an affection like that of the Jews for the city of Jerusalem," was effected, the ultimate object for which Fort Armstrong was established was attained, and it was soon after abandoned, never to be re-garrisoned.

About these Indians it may be said that those of the early settlers who knew them best have given them the best character for honesty and sobriety.

Davenport, Iowa.

LETTERS OF WILLIAM CLARK AND NATHANIEL PRYOR.

BY ELLIOTT COUES.

When Captains Lewis and Clark were returning from their expedition, and had reached the Mandan villages, in August, 1806, they then and there took with them, for a visit to President Jefferson, a Mandan chief known by the names of Shahaka, Gros Blanc and Big White. For this chief, see the 1893 edition of Lewis and Clark, pp. xxxix, ciii, 182, 185, 192, 209, 236, 242, 247, 1184, 1185, 1186, 1191, 1212.

The attempt to send Shahaka safe home again, and its frustration by a sharp collision with hostile Indians, in the vicinity of Bismarck, S. D., in September, 1807, form the main subject of the four letters now first published. The originals, in the handwritings of Captain Clark and Ensign Pryor, respectively, are on file in the archives of the War Department at

Washington, where I have examined and copied them, word for word, letter for letter and point for point. General Clark's three letters are in official correspondence with General Henry Dearborn, Secretary at War, in his capacity as Indian Agent for Louisiana; one of them covers and transmits Ensign Pryor's official report to him, narrating the interesting incident, no sufficient account of which has hitherto appeared in print.

We know very little of Nathaniel Pryor, beyond the main fact that he was one of four sergeants of Lewis and Clark's expedition (the others being Charles Floyd, who died early in the expedition; Patrick Gass; and John Ordway), and afterward commissioned in the army. It appears from Heitman's Register of the United States Army that Nathaniel Pryor, of Kentucky, was appointed an ensign in the First Infantry, Feb. 27, 1807; promoted to be second lieutenant, May 3, 1808; resigned, April 1, 1810; was made first lieutenant in the Forty-fourth Infantry, August 30, 1813; promoted to be captain, October 1, 1814; and honorably discharged, June 15, 1815.

SAINT LOUIS June 1st 1807.

SIR

In my letter to you of the 16th ulto: I informed you that a deputation from several bands of the Sieoux Nation had arrived at this place with Wm. Dorion, &c. Those Indians set out on their return a few days past highly pleased with the presents & treatment which they have received. Colonel [Thomas] Hunt furnished a Lieut. seven men and a boat to escort those people to their Country in safety. By the request of the Mandan Chief [Shahaka, Gros Blanc or Big White], I have suffered him to delay and go in Company with the Sieoux. The party accompanying those Indians consists of 1 Lieut. 1 Ensign. 1 Sergt. 1 Corpl. 18 privates, 1 hunter and 3 hired boatmen. Young Chouteau (late an Officer) has a boat and perogue and 32 men (for the Mandan Trade) Young Dorion has a boat and 10 men (for the Sieoux Trade) those together with the 2 interpreters makes a total of 70 men; exclusive of the 18 Indian Men and womin and 6 children. After Lieut. Kimble's [Joseph Kimball's] return which will be from the Sieoux Country, Ensign Pryors Party will consist of 48 men which will be fully sufficient to pass any hostile band which he may probably meet with. I am informed that the Ricaras have moved moved [bis] to the Mandans for fear of being cut off by the Sieoux of the North; I think it probable that the report is correct, and a measure which I advised them to as I decended last fall from a knowledge of their dependence on the Sieoux.

Mr. Bolvar [Nicholas Boilvin] has returned from the Saukees without the

Indian who murdered the Frenchman near the mouth of the Missouri. He informs me that he has every promise from the Chiefs of that Nation that the Murderer will be delivered up. Bolvar will return to that Nation in a few days. Much has been said respecting the conduct of Mr. Youin [Ewing*] the Farmer [farmer] for the Saukees, but nothing which can authorise me to make any change in his situation. Mr. Bolvar the Sub Agent has lately sent off from the Nation a young man by the name of O'Bannon, whom as I am informed, has shown some bad examples to those Indians. The Saukees wish to be furnished with a Blacksmith, one has offered to go to the Nation who is a farmer in this neighbourhood with a large family.

The Militia (where Organized) are so scattered that they will afford but a feeble defense to extensive frontiers of this Territory against the Indians. Their numbers I believe to be about Two Thousand four hundred men.

To prevent the probability of an Indian [outbreak] which can only be effected by *Spanish* or *British* influence and intregue it will in my opinion be necessary to have some establishments of troops in the Indian Country; as well to watch the emissarys of those Nations, as to enforce the laws regulating the intercourse with the Indian Tribes, &c.

Wintering traders from the Panias [Pawnees] and several other Nations of Indians up the Missouri, confirm the report of several parties of Spaniards, amounting in all to about 350 men having visited the Panias Country last fall, and are to return about August next. I fear their intentions are hostile, to the United States. They have given medals and flags and influenced the Indians very much in their favour. No certain accounts of Mr. Pike, some Indians have said they left him two days from the settlements of Santa Fee. No reliance can be placed on this information [which was in fact erroneous]. I enclose you the speeches of the Sieoux and my answer, &c.

It is probably necessary for me to go to Washington to settle my public accounts for moneys expended at this place, of which you have been advised in my last letter of the 18th ulto. On this subject I must request that you inform me.

With every sentiment of respect & esteem, I have the honor to be

Your Most Obedient Servt.

WM CLARK

Genl. Dearborn

[Endorsed rec'd July 7, 1807.]

ST LOUIS Oct 16. 1807

SIR

The escort under my command for the reconveyance of the Mandane Chief [Shahaka] to his nation has been compelled to return to St Louis without accomplishing that object.—You will expect to be informed of the untoward circumstances which have contributed to this failure.

* William Ewing, in charge of the United States Agricultural Establishment, on the site of present Nauvoo, Ill., opposite Montrose, Iowa. For this person, see letters of General James Wilkinson and of General Clark, in my new edition of Z. M. Pike's Expedition, 1895, p. 15 and p. 292.—E. C.

We arrived at the lower villages of the Ricaras at 9 O'Clock, on the morning of the 9th September.

These people, as soon as we came opposite their village, fired several guns, the shot of which came very near us. The sub Agent Dorion, enquired in the Sioux language 'What they meant' They replied 'put to shore we will supply you with corn and oil'.—From the hospitalities to our party on a former occasion, I thought it prudent to shew a confidence in their friendly professions, and ordered the Boats to land at the village

Several of the Sioux, the upper bands of which associated with the Ricaras in this affair, immediately came to the Beach. From them we learned, that the Ricaras and Mandanes still carried on war with each other, and that two of the former had been lately killed at the River Bullett [*i. e.*, Cannonball River].

In a very short time the bank was crowded with about six hundred and fifty Indians, all of whom were armed with guns, and many of them with additional warlike weapons.—A Mandane woman, who had been a captive for several years, came on board, from whom I obtained information, which could probably have been derived from no other quarter.

She informed me that Manuel Lisa a St. Louis trader had passed up some time before: That he had given the Ricaras, through *compulsion* I conjecture, a number of guns and a considerable quantity of powder and ball.—This man you recollect obtained a Licence from Mr. [Frederick] Bates before your arrival and before the plan which the Government had adopted with respect to the Mandane was known at St. Louis. He was however, still at St. Charles and it is not forgotten that Mr. Bates having occasion to visit that village informed him of the change of arrangement in the upper country, and desired him to remain until my Boats should be equipped that he might accompany the expedition.

This, we understood he had consented to do—and his failure in those engagements, has probably obliged him to divert the storm which threatened *his own boat*, by diverting the attention of the Ricaras to *ours*

He told them; as we learn from this woman, that two boats might be very soon expected; that we had the Mandane Chief on board; and that we were to remain, for the purposes of trade at their villages.—On this, they pillaged him of about half of his goods, and suffered him to pass on, determining in their councils at the same time, to kill him on his return, and to lose no time in preparing to murder the Mandane and his escort as soon as we should arrive.—Being thus completely apprized of their sanguinary purposes, as respected the Mandane in particular, I directed him to secure himself in the cabin, by building in front a breast work of trunks and boxes.—My men were prepared for action, and the Indians about the picketed villages and breast works, appeared to be putting themselves in readiness to commence it.—They were observed chewing their bullets and driving away their women and children.

The Chief to whom you desired me to present a Medal, at length approached my boat. I had no doubt of his wish to serve us; and as he was known to possess influence with his nation, I felt desirous of conciliating him.—He presented me a letter from Courtney, who had previously to the arrival of Lisa, been cruelly treated by these barbarians, and informed us that he alone had been friendly to

that unfortunate Trader, who owed his safety and ultimate release to his friendly offices.

This chief discovered much uneasiness while conversing with us, and after professing his regard for the Mandane and myself, rejoined his blood thirsty companions by whom his advices were in the sequel overruled.—My interpreter was in the meantime, employed in persuading the chiefs to meet in council, and at length succeeded in collecting all of them except the chief of the upper village.

I should have made a farther effort to procure the attendance of this refractory man; but found that if we consumed the day in fruitless conferences, we would, as soon as it was dark, fall a more easy sacrifice. I therefore determined to meet them and proceed to the upper villages as expeditiously as possible.—My Interpreter was an old Spaniard whom you probably may not have forgotten. To employ a mediator in whom we have no confidence in such emergencies as this, was especially embarrassing; but I was obliged to make use of him on this occasion from the absolute improbability of obtaining another.

I addressed them somewhat in this manner: "Your Great American Father has sent me with a few of his soldiers to conduct the Mandane Chief to his nation.—In our long and laborious journey, we have met with many nations of Red people, by all of whom we have been treated with hospitality and kindness.—I have repeated to them the talk of their Great Father, whose counsels they will in future pursue.—We were not strangers to you: On a former occasion you extended to Louis [sic] and Clark the hand of friendship:—We feasted in your villages and exchanged mutual benefits.—As a proof of the confidence of your Great Father in a continuance of your pacific dispositions, and as an evidence of your pacific dispositions, and as an evidence of his personal friendship for your chief, he sends him a large Medal the devices of which may continually remind you of the amicable intercourse which ought always to subsist between his People and yours"—I then suspended the Medal to the neck of Grey Eyes [an Arikara chief: see L. and C., ed. 1893, p. 1189] as is usual on such occasions.—

To this address they made no reply—and in fact from a variety of suspicious circumstances I scarcely calculated on a friendly answer.

We separated, it being understood that we would stop at the *upper* [Arikara] village to pay our respects to the Chief, who perhaps from motives of etiquette, had refused to attend the council below.—

Our Boats proceeded on—Dorion and the Interpreter [Rene] Jesseume went by land—The Indians followed in a body, using threats and menaces—

On our arrival about 4 OClock in the afternoon all the Indians were collected on the Beach. They appeared in violent rage. It was necessary as I conceived, to see the chief.—It was besides my duty to take on board Dorion and Jesseume—My men were kept prepared for an attack, and it was doubtless, as prudent to meet it on the beach, as to be followed into a river filled with irregular sand-Bars.—We put to shore and were directed by the Indians to proceed up a narrow channel near the Beach. Their views on *this*, could not be mistaken and we declined a compliance.

We were then told that we should proceed no further: we should stay and trade with them.—Jisa had told them, it was our *intention* to remain &c. &c. to

gether with various other things expressive of their determination to detain us.—

They first seized the cåbel of Chouteau's Barge—as *his* contained merchandize and had no Soldiers to defend it, with whom they were, no doubt unwilling to provoke a contest until they should have the other completely in their power—Waving their hands there, the moment they attacked the Barge, they made signals that I might go on—Chouteau 'hoped he was not to be abandoned in so dangerous a situation'—I replied 'make them an offer' He and a number of his men had previously gone on the Beach, in order to shew an advance of confidence, but these unconscionable Rascals appeared to rise in their demands in proportion as they found their victims within their reach.—He at length *did* make them an offer, which, had they not been determined on plunder and blood, ought to have satisfied them. He proposed to leave the half of his goods with a man to trade them—

The Chief of the upper village who had refused to attend the council below, now came on board, and desired by gestures which were readily understood that the Mandane might go on shore with him. On my peremptory refusal to suffer this, he retired as hastily as he had entered.—

Mr. Chouteau and several of his men were still on the Beach—Dorion continued in conference—a demand was instantly made of all the arms and ammunition;—The Chief to whom I had given the Medal, threw it on the ground, and one of the men was struck down with the butt end of a gun. The Indians now raised a general Whoop, and as they retired to the willows fired on the men, on the Beach, as well as on both Boats in the same instant.—I had reserved my fire, and was so fortunate as to reach them, with a well directed volley of swivels, blunderbusses and small arms, before they sheltered themselves behind a young growth of Willows at the distance of about sixty yards.—

Here, they were rather concealed than defended; and as it would have been madness to leave the Boats of which the savages would have taken the immediate possession, we continued the fight for about a quarter of an hour when, finding that they were too greatly superior in numbers, I ordered a retreat.—My Boat was put off with greater ease than Chouteau's—He stuck on a sand Bar; thro' which his men were obliged to drag the barge while exposed to the continual fire of the enemy.

To my unexpressible satisfaction, he at length surmounted Difficulties which had nearly proven fatal to the whole party.—

We again floated in a narrow rapid current, and continued a retreating combat from both sides of the river for about one hour.—

It was sunset, and the pursuit was at length checked by the death of one their Sioux Leaders.

He had been in my Boat, and was afterwards known by a white bandage which he wore about his head. With about 40 men he was endeavouring to meet us at a point projecting into the stream when he received a Ball which was aimed particularly at him, and appeared to expire in a moment on the Beach.—His Partizans gathered about him and we saw no more of them.

During the rapid succession of these events I had no leisure to inquire into the situation of my men.

As soon as we imagined ourselves free from pursuit, we lashed our Boats together and examined their wounds.—

of my own men none were killed—My Hunter's leg was broken—One of the Soldiers had a ball thro' the fleshy part of his leg—and a second was wounded in the hip and the arm.

Mr. Chouteau was far less fortunate:—He had one man killed on the Beach; one in a Perogue which accompanied his Barge; One on board the Barge and one mortally wounded who died nine days afterwards.—Six others of his men were badly wounded but have since recovered.—

This miscarriage is a most unhappy affair.—The Mandane is now at the camp, and will be supplied with whatever he may reasonably want until the orders of the Government shall be known with respect to him.—

Altho' Jesseaume the Mandane Interpreter was of my party, he had quarrelled with his chief and was on board Chouteau's Boat.

I am sorry to say that he has been badly wounded in the thigh and shoulder. Mr. Bates has ordered him medical attendance in St. Louis, as the Surgeon of the garrison has been of late too ill to attend to his duties.

After our retreat, I felt so sensibly the necessity of obeying the orders of the government with respect to this expedition, that I proposed to the Mandane that he should accompany me through by land. The distance was only about three days march, and by leaving the River, and pursuing an unfrequented route, through the Praires, I hoped to reach the Mandane-Lodges, undiscovered by the Ricaras.—

The Chief declined this project, alledging the impossibility of accomplishing it with his wounded Interpreter together with the incumbrance of their wives and children.

If my opinion were asked 'what number of men would be necessary to escort this unhappy Chief to his nation', I would be compelled to say, from my own knowledge of the association of the upper band of the Sieux with the Ricaras that a force of less than 400 men ought not to attempt such an enterprize—and surely it is possible that even One Thousand men might fail in the attempt

I have the honor to be

very respectfully

your obdt Servant

NATHL PRYOR

Genl. Clark }
Ind Agent }

LOUISVILLE October 24th 1807

DEAR SIR

I this moment received a letter from Ensign Pryor dated St Louis Octr. 16th. 1807 in which he mentions the failure of his expedition with the Mandan Chief to his Nation, after passing all the lower Bands of Sieux unmolested, he was on the 9th. of Sept. at the village of the Ricaras, attacked by that Nation, and after an obstinate resistance for more than an hour, he was compelled to fall back (down the stream) with the loss of three men: killed and several badly wounded.

The Mandan Chief with his interpreter who is badly wounded is with the party a Coal Water Camp [sic—at Cold Water Camp]. Young Mr. Chouteau behaved very well on this occasion. from some communications which I have received by this mail from different quarters the Conduct of the British trader in the N W is such as cannot be put up with by our Government. I will send you by the next post some letters on the subject of Indian affairs, and Ensign Prior's report, the post is now waiting.

I have the honor to be with every sentiment of respect

Your Mt. Ob Ser

WM. CLARK

[Postwritten Louisville, Ky 25 Octo Free

Marked Recd Nov. 13, 1807]

NEAR LOUISVILLE 30th. Octr. 1807

DEAR SIR

I have the honor to enclose you Ensign Pryors report, one letter from Captain Dunim [Josiah Dunham] and one from Mr John Cam[p]bell a merchant at Prairie de-chein; Ensigns Pryors report will inform you of his progress and misfortune on the Missouri.—I am a little gratified to find that all those Bands of Scioux who had a deputation at St. Louis last spring were friendly disposed to Pryors party and, only that Band of Scioux with whome we have had no intercourse has attached themselves to the Ricaras (no doubt under the influence of the British Traders) to prevent all parties from ascending the Missouri.—You will observe by the letters of Captain Dunim and Mr. Cambell the Conduct of the British Traders in the vicinity of Michillimakinak their plans of avoiding the duties and Laws of the United States.—

Mr Campbell will wait on you early in December and will inform you of the views and probable intention of the formidable Maiana Company of whom I have given you a relation of.—I am not acquainted with Mr Campbell and can say nothing more of him than of his possessing some influence with the Indians about Prairie-De-Chein. I am told he is a Magistrate under Govr Harrison.

I have the honor to be

Sir &c.

WM. CLARK

THE DES MOINES PIONEER CLUB.—The organization of "The Des Moines Pioneer Club" at Mr. J. C. Savery's New Year's dinner party was a long delayed step in the right direction, and if the annual fees and contributions can be made sufficiently large to print the speeches made at the regular New Year's dinners, much of the valuable early history of this city, county and State can be saved that will otherwise be forever lost. Among those present at Mr. Savery's dinner were men who have gained both State and National renown, who know more about Iowa history than any other living persons.—*Des Moines Register*, Jan. 3, 1895.



Gave to my
W. J. Smith

THE SAD WAR EXPERIENCES OF TWO IOWA BROTHERS.

BY CAPT. H. I. SMITH, OF MASON CITY, IOWA.

There were only two of us, Peter and I. Notwithstanding that we were the only sons of a widowed mother, with two younger sisters, living on a farm in Cerro Gordo, then a frontier county in the State, we had both enlisted early in the war, and were among the first who started for the front. I had gone first, early in 1861, with mother's consent and blessing, with the understanding that my brother should remain at home and work the farm. He staid, apparently contented, until the following winter, when I returned on a furlough from Mound City hospital, where I had been for treatment for a severe gun-shot wound in the right shoulder, received at the battle of Belmont, Mo., November 7, 1861.

They laid me on mother's bed when I was brought home. My brother was away at the time and did not return until evening. When he came home, mother told him to go into her bedroom and see who was there. The first intimation he had that I had returned was when he saw me there. I never shall forget his looks at that time. I was very much emaciated from the effects of my wound and the exposure and neglect following, having been left on the battlefield in the hands of the Rebels and receiving no medical attendance until over twenty-four hours after the battle. He was very much affected at seeing me in that condition. He was then about nineteen years of age, with a form and physique the perfection of manhood and health; well rounded out by a life of toil and privation on the frontier of Iowa. His face at first flushed; then every drop of blood seemed to leave it and it was blanched and grew hard, and the bloodless lips set in straight, cruel lines. It was some time before he could control his feelings

so he dared attempt to speak. He finally calmed down and talked to me about the war, asked where my regiment was, and a few particulars about my route home, when he said: "I shall have revenge for this. I have been chafing to get away to the front ever since you went to the war, and I can stand it no longer." He said: "Say nothing to mother and sisters about it at present," and he was gone.

He went straight to the front, joined my regiment, the 7th Iowa Infantry, in time to take an active part in the dangerous and arduous campaign with General Grant, in the siege and capture of Forts Henry and Donelson, being assigned to Lauman's Brigade which led the charge in the capture of Fort Donelson. He endured all the privations of the rain, mud and snow, away from tents and supplies, in the most inclement season of the year, incident to that campaign; from there he went to Shiloh, where he was wounded in the shoulder by a fragment of a shell, the first day of the battle, being in that portion of the field designated by the Rebels as the "Hornet's nest," on account of the stubborn resistance encountered at that part of our line—they having been unable to break through at that point. Notwithstanding he was wounded and nearly disabled, he refused to go to the rear, but staid with his company and fought all through both days of the battle.

By this time I had sufficiently recovered from my wound so as to be able for light duty, and had returned to my regiment. During the night between the two days' fight, our regiment was ordered not to move from their tracks, and not a man left the ranks. At dark the battle gradually subsided from a continuous roar of artillery and musketry to a desultory firing here and there along the line, and the men were allowed to lie down on their arms and take a much-needed rest. My brother's place in the ranks came in a road, which had been used through the day by the troops, artillery, ammunition wagons and ambulances, passing back and forth, and, being wet, had been churned into a perfect pudding of mud, on which he spread his blanket and laid down. The night set in dark and

rainy, and no fires were allowed in the front. Its stillness was broken by occasional musket shots and the regular firing of nine-inch shells every fifteen minutes from the gun-boats, Lexington and Tyler, in the river, which went screeching overhead and bursting among the enemy in the woods beyond, and the moaning of the wounded as they were carried through the lines to the hospital tents in the rear. All night long the tramp of the ambulance corps with the stretchers and suffering loads of humanity could be heard, and the pitiless rain poured down incessantly, making both wounded and well uncomfortable. In the morning my brother got up out of his mud wallow, soaking wet, and so stiff and sore he could scarcely move, leaving his blanket where it laid, but could not be induced to go to the hospital or to the rear. He staid with the company and participated in the battle, until the Rebels were routed and driven from the field. Sunday morning when the battle began our regiment was away from our camp on inspection, and was ordered from there to the left of the army without going back to quarters. On our return to our tents after the battle, we found they had been occupied by the enemy. They had gone so suddenly that they had left many of their wounded in our camp. From my tent they had taken everything they could carry, including my violin, and left one of their wounded, a mere youth, whom we tenderly nursed and cared for several days, until he was taken to the field hospital.

My brother had a perfect horror of going to the hospital, and insisted on staying in camp when it was apparent that he was failing every day. He staid with the company until the army was ready to move on the campaign to Corinth, and insisted that he was able to march with the regiment. He fell in with the company with his knapsack, gun and accoutrements, and started on the march, only to fall behind the first mile. I dropped back with him and encouraged him by first carrying his gun; he went along a little farther and gave out again. After resting awhile I took his knapsack and accoutrements and he went a little farther and gave out again. We sat down beside the road until darkness began to overtake us,

when an orderly came along, piloting our regimental teams, and told us that the regiment had gone into camp about two miles beyond, pointing the direction they were. The teamster took my brother's gun and knapsack, but refused to let him ride, as he had such a load, and had strict orders not to let any one ride. We started through the woods to camp in the direction indicated by the orderly, leaving the traveled road. We were not yet off the battlefield, when darkness overtook us; it began to rain and we got lost, stumbled and wandered around until finally we could see the camp fires, toward which we started. My brother fell into a shallow trench or grave where some of those killed in battle had been buried. The bodies had been entombed just long enough to become decomposed and there being scarcely any earth over them, he got nearly up to his knees in putrified humanity. I pulled him out amid such a horrible stench that I could scarcely stand it, and we made our way to camp where we arrived about twelve o'clock at night. He smelled so badly that the boys could not stay in the tent with him in that condition, so we stripped him of all his clothing, rolled him up in a blanket and laid him in the tent, as he did not have a change of clothing, and I took his clothes to a creek and washed them out and hung them by the camp fire to dry. He had a burning fever all through the night and was not able to sit up the next morning, so the regimental surgeon sent him back to the hospital in an ambulance.

Until after the battle of Shiloh, the discipline in camp and field had been somewhat lax, and the experience of carelessness and surprise at that time had led the officers to see the necessity of being more strict and watchful for a wary foe, until they had gone almost to the other extreme of strictness and discipline, as they saw the stern fact of a long and pitiless war upon us.

We continued our march and approach to Corinth, skirmishing, fighting, entrenching and advancing every day, and I heard nothing from my brother until about the 10th of May, when word came to me from the rear that he was on the hos-

pital steamer City of Memphis at Pittsburg Landing, dying, and wanted to see me. I went to my Colonel, E. W. Rice, and asked him for a two days' leave of absence to go to him. He said he would be willing to grant my request, only that he was afraid I might get captured by the Rebel cavalry, or guerrillas if I went alone, and suggested that I might get detailed as one of the guards to the wagon trains that were hauling supplies from our base on the Tennessee River. I told him I would undertake to do so if he would give me permission and a pass; he did so, and had it approved by General Davies, our division commander. I looked around among the wagon-masters of the different divisions to find one going to the landing, but could not find any going that day, so I made up my mind to go alone and take the night for it. I made my way to the rear of the army and waited for darkness. As soon as it became dusk I started, skirting the roads so as to avoid meeting or being overtaken by guerrillas or bushwhackers. I heard squads of horsemen several times during the night, when I would skulk in the brush or slide behind trees and wait until they passed. It was too dark for me to discern whether they were friends or foes.

I arrived at the outposts at the landing at daylight, having marched over twenty miles by the road, the latter part of the journey being over the battle ground of Shiloh, where I had to pick my way through fallen trees, skeletons of horses, unknown graves and the general debris of the late strife. I encountered a few pickets near the landing, who allowed me to pass.

The gunboats Lexington and Tyler I could dimly see in the dusky fog, anchored in mid-stream, with their black hulls and big guns looking angrily out of the port-holes, guarding the supplies on the bluffs, and the hospital steamer, whose bow was stuck in the mud of the bank, with her stern swung out in the stream. It was just getting daylight and there was no stir on board as yet. I stepped upon the gang-plank to go on board, when I was confronted by two guards with fixed bayonets, and cold unfeeling looks, who refused to let me pass. I

explained my mission and begged them to allow me to go on board, which they refused to do, saying they had positive orders not to pass any one. I asked to see the surgeon or officer in charge, but they said he had not yet got up, so I sat down on the bank and waited. The first officer I saw was a young doctor, who came out of the cabin and began fishing over the stern of the steamer. I hailed him and explained to him my errand and asked him to be allowed to go aboard and see my brother. He said he could not allow me to do so, giving as a reason that men had got on the boats upon one pretext or another, and had gone north on French furlough or deserted—that the orders were not to allow any soldiers on board but the guards, nurses and wounded. I told him I would pledge my word as a soldier and gentleman that if he would grant me an interview with my brother, I would go ashore and return to my regiment at the front at once. I held my pass in my hand and asked him to come and read it for himself, stating that it was given by Colonel Rice and approved by General Davies, but he was inexorable and relentless, and no amount of persuasion would induce him to change or modify his decision; so I sat down sorrowfully on the bank to devise some way to circumvent the orders, or, Micawber-like, “wait for something to turn up.”

I realized that whatever was done must be done soon, as my leave of absence would expire on the morrow, and my regiment was over twenty miles away, and advancing. I was tired, hungry and footsore from my all night's march. As I sat there eating hard-tack and raw bacon, and watching the doctor fishing, he would occasionally look at me, and I fancied he was uneasy and that his heart was softening. He finally hailed me and asked me if I could find him some angle-worms for bait. I told him pleasantly I would do my best to do so. I thought if I could find them he would allow me to go on board and see my brother. I dug around the bank with my bayonet, but was unsuccessful, so I went back about half a mile to a field and was fortunate in finding some, and returned and called to him that I had them. He told me to come on board and

bring them to him, which I very gladly hastened to do. I went again to the gang-plank, and was again stopped by the same guards. I again went and called the doctor, and he ordered them to let me pass. I passed to the stern, handed the bait to the doctor and hurried up the after gang-way to the cabin. It was a very large steamer, the state-rooms were full of sick and wounded, and there was a long row of cots, full, on each side of the cabin. I searched for some time among the mass of suffering humanity before I found my brother, and when I did I scarcely knew him, he was so emaciated, weak and low, as to be hardly able to speak. He was entirely overcome when he saw me; we clasped hands, and I waited for him to grow calm and get strength enough to talk, which seemed a long time. I was so overcome with grief that I dared not trust myself to speak, and we did nothing for some time but look tearfully into each other's eyes. I could see plainly that I should see him no more after this interview, for the mark of death was plainly upon his brow.

We finally got calm and talked a little; with tearful eyes, and a weak and nervous convulsive motion of his lips, he told me he was aware he had not long to live and was so glad I had come to see him. He was about delivering a message for me to send to mother and the folks at home, when an officer and a detail of soldiers came down the aisle and with a braggart's important air, which broke so harshly on our feelings of grief and affection, absolutely drove me from the boat at the point of their bayonets, in the face of my dying brother's pleading and imploring helplessness and my begging to allow him to finish his last message and to bid me good bye; but it was of no avail; I was mercilessly thrust ashore and I never saw him again.

I saw over four years of service in the war, two and a half in the ranks and the remainder of the time as a commissioned officer, always in the very front, but this was the hardest thing I ever have had to bear, either in war or peace.

I realize that after the surprise, the confusion and demoralization during the battle of Shiloh, it was necessary to have

strict orders and thorough discipline, but in the face of all this, conceding everything, as time has softened many things and explained others, I still think, and always expect to, that for a cowardly, cold-hearted piece of meanness, that capped the climax; and I shall always think that nobody but cowardly officers and soldiers who skulked and sought duty in the rear, would ever be guilty of such acts. They certainly might have discriminated in their orders enough to allow my dying brother to finish his message to our widowed mother.

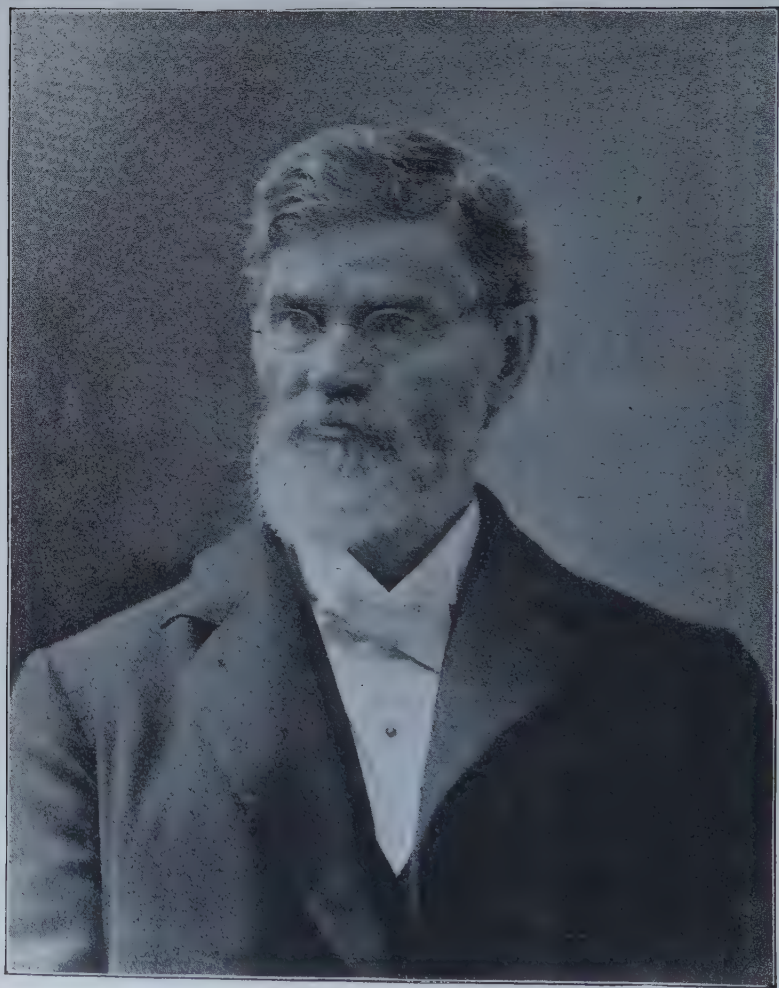
He died on the 12th of May, 1862, among strangers, without a friend to comfort him, on the hospital steamer City of Memphis, on his way to Keokuk hospital, and was buried on the banks of the Mississippi River, below Quincy.

Could he have only survived to reach home, and laid his suffering and weary head on the mother's bosom that had nourished him to strength and manhood, to go forth to do battle for his country, he would have died satisfied; and what a comfort it would have been to her through all these long years, to have had the privilege of ministering unto him in his last moments!

To this day I have never had the courage to tell our mother the circumstances of his death, and I hope she may never know them.

The recollections of that time, and the circumstances, come back fresh to me over the lapse of a third of a century, with a vividness as though it were but yesterday—and they were my saddest experiences of the war.

THERE is no doubt that electric cars can easily be made to go a hundred miles an hour, and that inside of ten years more the people of Des Moines will be able to ride to Chicago on an electric car, in three hours in the morning, do their shopping, and come home in the evening.—*Prof. J. K. Macomber, in Des Moines Register, Oct. 27, 1894.*



James L. Lundy,
C. H. Hatch

THE DES MOINES RIVER LAND GRANT.

BY COLONEL C. H. GATCH.

[Concluding Paper.]

While the settlers were endeavoring to get relief either through the confirmation of their title by direct Congressional action, or through the proposed suit by the Government for their benefit, the Navigation Company and its grantees, possibly with more regard for their own interests than for those of the settlers, favored and were willing to aid in procuring for the latter indemnity in lieu of the lands, thereby hoping to put an end to a most annoying and expensive controversy, involving apparently endless litigation. By a joint effort of the opposing interests for indemnity in place of the fruitless contest about the title, the settlers might have obtained more ample justice years ago than they are now likely ever to obtain; many of them, indeed, becoming discouraged by successive defeats, both in Congress and in the courts, have long since either abandoned their claims altogether or little better than given them away, and can therefore never have even scant justice done them.

At its session in 1870 the General Assembly of Iowa adopted a joint resolution asking Congress for a grant of lands to the State,

“To be used by said State to indemnify such persons as have purchased of the United States or pre-empted any of the odd sections lying along the Des Moines River, whose titles have since been held invalid on account of the grants by Congress to the State of Iowa August 8, 1846, and the acts in extension thereof.”

March 3, 1871, Congress passed an act ratifying the “adjustment” and confirming to the State and its grantees title to the 297,603 acres of indemnity lands. This act was held by the Supreme Court of the United States in *Homestead Company vs. Valley Railroad Company* to be in effect an original grant, the previous acts of selection, adjustment and

certification being held not to have had that effect. The court say in the opinion :

"Whatever may have caused the adjustment, it is quite apparent as the lands were erroneously certified under the act of July, 1862, that something more was needed than the action of the Land Commissioner, fortified as it was by the approval of the Secretary of the Interior, to pass a valid title to the State and its grantees."

The General Assembly of Iowa having previously by the act of March 31, 1868, ratified the adjustment and directed a conveyance of the lands thereby contemplated and intended as "indemnity lands" to the Des Moines Valley Railroad Company, the joint effect of the two acts was to vest in the Railroad Company the title to lands that should have been used "to indemnify settlers upon the Des Moines River lands," as contemplated by the legislative joint resolution just referred to.

Referring to this adjustment, Commissioner Drummond in the communication from which an extract has in a previous paper been taken, says :

"In 1866 the whole matter was opened for final settlement and adjustment between the State and the General Government through an arrangement by which an account was stated by the Commissioner of this office allowing the certifications to stand in favor of the railroad grants and giving the State indemnity for the same on account of the river grant. The State accepted this settlement and the matter was considered adjusted."

The commissioners appointed by the President under the act of March 3, 1873, referred to in the last preceding paper, having reported the number of acres to which the Navigation Company and its grantees claimed title adversely to persons claiming the same "either by entry or under the pre-emption or homestead laws of the United States," and the terms on which the "adverse holders thereof" would "relinquish the same to the United States," the Hon. Jackson Orr then representing the congressional district in which the river lands were located, at the first session of the 43d Congress introduced an indemnity bill making an appropriation of \$404,288, "to be used by the Secretary of the Interior for the purpose of securing a relinquishment of the title to the lands lying north of

the Raccoon Fork of the Des Moines River in the State of Iowa, which may be held by the Des Moines Navigation & Railroad Company, or persons claiming title under it, adversely to persons holding said lands, either by entry or under the pre-emption or homestead laws of the United States, in accordance with the report of the commissioners appointed by the President of the United States under the act of March 3, 1873." But to be so used subject to the conditions that claimants under the act should "furnish proof of the character of their claim or title to the land," and that when this should be done to the satisfaction of the Secretary of the Interior, and the claimants should so far as in their power to do so, comply "with the terms and regulations for the acquisition of lands of the public domain" and should thereunder "in the absence of any conflicting claim be entitled to receive an absolute title thereto," that officer should cause to be paid to the owners of such lands an amount not exceeding the appraised value thereof for the relinquishment of their title thereto to the United States, and if such relinquishment could not be obtained for such appraised value should pay the amount or amounts of such appraisement to the person or persons making such proof, provided, however, that a patent from the United States should render other proof unnecessary, and with the further proviso that when the government price had not been paid by a purchaser at the time of or subsequent to his entry, the amount of such unpaid price should be deducted from the appraised value.

The bill passed the House by a large majority, went to the Senate and was referred to the committee on public lands. The committee reported adversely and it does not appear from the journal of the Senate that the report was ever acted upon. After referring to the history of the grant at some length, making mention of the numerous and conflicting opinions of government officials as to the location and extent of the grant, the decision by the Supreme Court of the United States that it did not extend above the Raccoon Fork, and the

decision in the Walcott case as to the effect of the Walker reservation, it is said in the report :

"The Walcott decision seems to have been misunderstood by the Secretary of the Interior. He treated the lands in question as restored by force of that decision to the public domain and subject to the pre-emption and homestead laws, and hence the Commissioner of the General Land Office, by an order made May 20, 1868, opened the lands to entry under the pre-emption and homestead laws. In point of fact they belonged to the Des Moines Navigation and Railroad Company, under the contract and conveyance above specified. But between these dates, October 30, 1851, and May 20, 1868, 27,852 acres of the lands in question were occupied by settlers, claiming title under the pre-emption and homestead laws, notwithstanding that during all this interval the order withdrawing them from market was in force.

"Under such circumstances we hold that no legal or equitable title can be set up by the settlers; they were bound to know as a matter of law that the certification of the lists by the Secretary was a valid act, and the lands were no longer liable to entry."

Continuing, reference is made to the suit of which mention has been made in a previous paper, against the Register and Receiver at Fort Dodge, as follows :

"As to the lands entered subsequently to the letter of Mr. Browning of May 9, 1868, and the order of the Commissioner, it appears that the company immediately took steps to enjoin the officers of the local land offices from allowing entries to be made, and accordingly injunctions were issued by the United States Circuit Court for the District of Iowa. These injunctions the register and receivers of the land offices at Ft. Dodge and Des Moines were ordered by the Commissioner to disregard. The conflict of opinions resulted in a suit and called for another decision of the Supreme Court at the December term, 1869, (*Hannah Riley vs. William B. Welles*), when it was definitely ruled that the settlers entered upon the lands without right, and their possession was continued without right, and that the permission of the register to prove up the possession and improvements, and to make the entries under the pre-emption laws, were acts in violation of law, and void, as was also the issuing of patents."

In a previous part of the report, referring to the amount proposed to be appropriated and the actual cost of the lands to the settlers, it is said :

"The present bill proposes to relieve such persons in accordance with that report by purchasing the outstanding superior titles, and, if that cannot be done, by indemnifying them for losses by failure of their titles.

"There are 344 beneficiaries under this bill; the total number of acres for which they claim compensation on account of failure of title is 39,540; and averaging the valuations put upon the lands by the commissioners at \$10.22 per acre, the sum to be appropriated to pay them is \$404,228.49. They do not claim for im-

provements. It is probable that they are entitled to the value of these under the occupying claimant laws of Iowa.

"All of these lands were entered as part of the public domain under the pre-emption and homestead laws—the greater number under the former. When they settled upon these lands does not appear; but the dates of filing their applications for entries are given.

"The earliest date of filing is 1862, and the latest in November, 1868. In a portion of the cases patents have been issued. As to the lands taken under the pre-emption laws, the settlers have paid the United States \$1.25 per acre, in a few cases \$2.50; for those taken under the homestead laws, they have paid the fees and commissions only, varying from \$7 to \$18 a tract, according to the number of acres entered. Supposing all had been taken up under the pre-emption laws at \$1.25 per acre, the United States would have received for these lands \$49,440, a little in excess of one-tenth the sum demanded by this bill, as indemnity for failure of title."

And the report concludes as follows:

"Notwithstanding the opening of the land office in 1868 by direction of the Secretary, to the entry of these lands as government lands, it seems to the committee that the settlers were put upon their guard, not only by the decision in the Walcott case, but by the injunctions granted by the Circuit Court, that there was a question as to their right to enter the lands. They chose to take the risk, and the ultimate decision proves they acquired no title. From the very start there was a cloud of doubt. They cannot, in face of these facts, be regarded as innocent purchasers. The intrinsic value of the lands at the time when they made their filings and entries was probably nearly as great as now, aside from the improvements. But the committee understand the fact to be that the lands in controversy were all settled upon while the order was in force withdrawing them from sale, although many applications for entering at the land office appear to have been made since.

"The conclusion of the committee is, that the settlers show no valid claim to relief by Congress, the general law making ample provision for a return to them of the purchase money paid to the United States."

It was rather cold, not to say heartless, thus to hold the settlers to an even higher degree of intelligence and legal knowledge than that of Secretary Browning and other high government officials, some of them very able lawyers, who both before and after the Wolcott decision were of the opinion that the lands, after having been held not to have passed under the original grant of 1846, were subject to pre-emption. Neither the Navigation Company nor its grantees have ever questioned the justice of the claim of many of the settlers to indemnity. Their contention has been that the Government should not indemnify them by confiscation and donation for that purpose.

of lands of which they themselves claimed to be the owners.

After the veto by President Cleveland of the bill passed by the Fiftieth Congress and referred to in the last preceding paper, to quiet the title of the settlers, and authorizing suit to be commenced by the United States for that purpose, by direction of United States Attorney General Miller, without the authority intended to be conferred by that act, a suit by the United States of the character indicated was commenced in the United States Circuit Court for the Northern District of Iowa, entitled "United States of America vs. Des Moines Navigation & Railroad Company, et al.," the other defendants being Edward H. Litchfield, Edward H. Litchfield, as trustee for Henry P. Litchfield, Grace D. Litchfield, Frances I. Turnbull, Thomas H. Stryker, Grace Stryker, Frances Elizabeth Stryker, Phebe H. Stryker, Harriet Pierson Stryker, Mary M. Martindale, Woolsey Welles, A. K. Welles and Wm. B. Welles, as trustees for Wm. B. Welles, deceased. The case was tried before Hon. O. P. Shiras, District Judge, at Fort Dodge, the the Attorney General of Iowa, Hon. John Y. Stone, Col. Whiting S. Clark and Hon. D. C. Chase appearing for the Government, the late Hon. Benton J. Hall for the Navigation Company, and the firm of Gatch, Connor & Weaver for the other defendants. The bill was dismissed and the Government appealed.

To all who are interested in the general river land controversy, whatever pertains to this final suit, ending as it did more than a quarter of a century of varied, expensive and in every way harassing litigation, it is presumed will be of interest, and as many have not access to the published reports pretty liberal quotations both from the opinion of Judge Shiras and that of the Supreme Court of the United States, delivered by Mr. Justice Brewer, will be both interesting and instructive to such as have had only the popular impressions that have generally prevailed with respect to this more than ordinarily interesting episode in the history of the State. The full report of the former can be found in 43d Federal Reports, page 1, and of the latter in 142 U. S. Sup. Ct. Reports, page 510.

The theory and purpose of the suit can be best stated in the following extract from the opinion of Judge Shiras, pp. 6-7:

"It may be said that the bill proceeds upon two theories, the one being that the lands granted to the State were so granted for a specific purpose, to wit, to aid in the improvement of the navigation of the Des Moines River, in the carrying out of which the United States had an interest; that the lands passed to the State clothed with a trust, the State receiving them in trust for the purpose named; that all persons taking title under such grant to the State were charged with notice of this trust; that there was a failure on the part of the State and of the Navigation Company to carry on the work of improving the navigation of the river; that the company abandoned all purpose of doing the work it had contracted to do, and that under these circumstances the settlement made between the State and the Navigation Company, whereby it was in effect agreed that the company should no longer be required to prosecute the work on the river, and yet should receive the lands remaining unsold, was in violation of the terms and purposes of the trust under which the grant had been made to the State, and that the United States is entitled to repudiate such agreement, and all conveyances based thereon, and recover back the lands so wrongfully attempted to be conveyed to the Navigation Company, and through it to the other defendants hereto. The second theory of the bill is that the lands passing to the State under the grant in question could only be disposed of by the State for the purpose of the grant, and in the quantities provided for therein; that the contract of June 9, 1854, and the supplementary contracts based thereon, between the State and the Navigation Company, were and are void on their face because they lacked the approval of the Governor; that in the settlement of 1858 the State could not bind or affect the lands above the Raccoon Fork, as the State had not title or interest therein; that the settlement resolutions of 1858 are limited only to the lands actually granted and passing under the act of August 8, 1846; that the deeds or patents of May 3, 1858, were without effect, as the Governor of the State had no authority to execute the same; that all of the contracts, agreements, deeds and settlements between the State and the Navigation Company made prior to the year 1861 were wholly void and nugatory so far as the lands north of the Raccoon Fork are concerned; that the subsequent grant in 1862 was made subject to the purposes and limitations contained in the original act of 1846; and that the principle of the inuring of a subsequently acquired title to the benefit of a prior grantee cannot apply."

As further showing the obscurity and consequent conflicting opinions as to the true construction of the grant to which reference has before been made, the following from Judge Shiras' opinion will be of interest, pp. 4-5:

"The Commissioner of the General Land Office, the Secretary of the Treasury and the Secretary of the Interior, and the Attorney General, had at different times held different views as to the extent of the grant made by the act of 1846; and, when the view prevailed that the grant terminated at the Raccoon Fork, the officers of the Land Department had opened the lands above the fork to pre-emption

entry, and many persons had entered into actual occupancy of the lands, had improved the same, had paid the requisite price in cash, or by location of military bounty warrants had obtained the usual certificates as evidence of their supposed rights, and had in many instances procured patents from the United States."

Touching the obligation of the Government to provide indemnity for the settlers, it is said in the opinion, p. 10:

"With this announcement of the conclusion reached, the duty of the court in this cause is fulfilled, and it may be wholly out of place to make any suggestions in the premises; and yet, in view of the facts known to the court, and in view of the fact that by the institution of this proceeding the United States has evinced a disposition to try to remedy the injustice and wrong that has been caused to the settlers in actual occupancy of these lands, resulting from the mistaken actions and judgments of the officials of the United States, I cannot refrain, in concluding this opinion, from urging upon the Congress of the United States the claim of these settlers for some relief. The question is not as to the legal title to these lands as between the Navigation Company and its grantees and the settlers, but as to the duty and obligations resting upon the United States to remedy the wrong done to its grantees, and resulting from the acts of its own officials."

And further, pp. 11-12:

"But one course can be pursued that will meet the present exigency, and that is for the United States to purchase the lands in question from the defendants, and having thus acquired the title thereto, Congress can deal with the settlers upon equitable principles. It is not within the power of the courts, by any possible construction of the existing acts, to meet the difficulties of the situation. Taking into account the equities and claims on behalf of the State, the Navigation Company and their grantees, Congress in 1861 and 1862, to meet the same, extended the grant of 1846 from the Racoon Fork to the north boundary of the State, but in so doing failed to protect the settlers then actually occupying portions of the lands thus granted. Should the court, in the effort to protect the settlers, now hold them entitled to their homes, a manifest wrong would be done to the grantees of the Navigation Company, who for many years have paid the taxes on these lands, and have sold and conveyed the same, in many instances, to parties paying full value therefor. If the courts, disregarding the many decisions heretofore made, should find some ground for holding that the United States might, at this late day, make a decree adjudging the title to be in the Government for the benefit of the settler, Paul might be thereby paid, but Peter would be robbed."

The ability and evident impartiality of the opinion were such as to command for it the respect of both parties, and there probably would not have been an appeal but for the general desire participated in by the settlers and their friends that the controversy might be more certainly ended by the authoritative decision of the court of highest and final resort,

and the way thus opened for greater assurance of indemnity. The case was tried in both courts as to the Navigation Company on demurrer to the bill, and as to the other defendants on their merits, their answer denying all allegations of fraud and want of consideration in the purchase from the State, and alleging full payment of the contract price in money and labor expended on the improvement. In the Supreme Court it was argued, in print, for the Government, by United States Attorney General Miller, Attorney General Stone and Hon. D. C. Chase; for the Navigation Company by Mr. Hall and Mr. Frank T. Brown; and for the other defendants by the writer and Mr. Wm. Connor, and orally, by Messrs. Miller, Stone, Hall and the writer. The prior adjudications in that court are summed up as follows in the first head note to the opinion, p. 510:

"The title of the Des Moines Navigation and Railroad Company to lands granted to the Territory of Iowa for the purpose of aiding in the improvement of the navigation of the Des Moines river by the act of August 8, 1846, 9 Stat. 77, c. 103, and to the State of Iowa for a like purpose by the joint resolution of March 2, 1861, 12 Stat. 251, and by the act of July 12, 1862, 12 Stat. 543, c. 161, having been sustained by this court in eight litigations between private parties, to-wit: In Dubuque & Pacific Railroad vs. Litchfield, 23 How. 66; Wolcott vs. Des Moines Company, 5 Wall. 681; Williams vs. Baker, 17 Wall. 144; Homestead Company vs. Valley Railroad, 17 Wall. 153; Wolsey vs. Chapman, 101 U. S. 755; Litchfield vs. Webster County, 101 U. S. 773; Dubuque and Sioux City Railroad Company vs. Des Moines Valley Railroad Company, 109 U. S. 329, and Bullard vs. Des Moines & Ft. Dodge Railway, 122 U. S. 167, is now held to be good against the United States, as a grant *in presenti*."

And after, in the body of the opinion, reviewing the adjudications referred to, it is said, p. 536:

"Such have been the decisions of the court in respect to this grant and titles, decisions running through twenty-five years, all affirming the same thing, and all without dissent. It would seem, if the decisions of this court amount to anything, that the title of the Navigation Company to these lands was impregnable. Indeed, the emphatic language more than once used, as quoted above, appears like a protest against any further assault upon that title."

Referring to the good faith of the transaction between the State and the Navigation Company, it is said, pp. 543-4:

"If we examine the testimony there is nothing in it worthy of mention tending to impeach the *bona fides* of the transaction between the State and the Navigation

Company. Only one witness was offered by the plaintiff to prove the amount of work done by the Navigation Company, and the influences by which the action of the Legislature was induced, and his testimony carries on its face abundant evidences of its own unworthiness. In the face of the deliberate proceedings of the Legislature and executive officers of the State, in respect to a matter of public interest, open to inspection and of common knowledge, something more than the extravagant and improbable statements of one witness, made thirty years after the event, is necessary to overthrow the settlement."

And further, p. 545 :

"But if no lack of good faith can be imputed to the State, the party making the offer of settlement, does it not follow necessarily that none can be imputed to the Navigation Company, the party accepting the offer; for how can fraud be imputed to one who simply accepts terms of settlement voluntarily offered by another? And if this settlement was made in good faith and without fraud, is it not clear that the Navigation Company, taking the lands which the State offered in payment for the work which it had done, took those lands as a *bona fide* purchaser, and, therefore, comes within the letter and spirit of the resolution of 1861? And here the significance of the resolution is evident. It was passed by Congress after the settlement, proposed by the Iowa Legislature in 1858, had been accepted by the Navigation Company, and deeds had passed in accordance therewith. Its passage imports full knowledge of antecedent facts upon which it is based."

Upon the question as to whether the State was imposed upon or any advantage was taken of it by the Navigation Company in the matter of the consideration paid on the lands and the *bona fides* of the company, it is said, p. 530 :

"There can be no doubt that a party doing work under a contract with the State, making a settlement and receiving a conveyance of these lands in payment for that work, is a *bona fide* purchaser. If so, this cause of action fails, and the bill must be dismissed."

And further, pp. 542-3 :

"All that the act provided for was, that the State should appropriate the lands to the improvement of the river; that it should make no sales at less than \$1.25 per acre; and that its sales should not anticipate its expenditures by more than \$30,000. Now, it is not pretended that the State appropriated the lands to any other purpose, or that the price at which it sold was less than \$1.25 per acre. The contract between it and the Navigation Company provided for conveyances only as the work progressed, and money was expended by the company; and the settlement proposed by the Legislature and accepted by the company, and the certificate made by the Governor to the President, showed that the Navigation Company had expended money enough to justify the conveyance of all the lands which were in fact conveyed. On the face of the transaction, therefore, the duties imposed by the trust were exactly and properly performed, and the title of the Navi-

gation Company passed to it in strict compliance with the very letter of the statute. But it is earnestly contended that the Navigation Company was not a *bona fide* purchaser: that while it claimed to have expended \$330,000 on the improvement, in truth it had not expended half that amount; that by means of its false representations, and by threats of bringing suit against the State and obtaining damages against it, it induced the Legislature to pass the resolution of 1858, offering terms of settlement."

And, pertinent to this specific charge of bad faith, p. 545 :

"The work done by the Navigation Company is open to inspection. It was done along the line of the principal river in the State. It was in fact made a matter of examination and report; and, while the amount expended by the Navigation Company might not have been known to the exact dollar, yet, in a general way, the cost of what had been done could easily have been ascertained, and must have been known."

And still again, p. 546 :

"If we narrow the inquiry to the mere language of the bill, in view of all the facts disclosed therein, and of those legislative and judicial proceedings which are matters of common knowledge and need not be averred, it is evident that the Government has not made out its case. And, if we broaden the inquiry to all the facts disclosed by the testimony, it is clear beyond doubt that the Navigation Company was a *bona fide* purchaser within the meaning of the resolution of 1861, and intended as a beneficiary thereunder." (546).

This decision having been accepted by all parties as the end of litigation, upon the facts as ascertained and reported by Mr. Berner, special agent appointed by the Secretary of the Interior under act of Congress of March 3, 1893, of which mention has before been made, the 53d Congress appropriated \$200,000 with which "to adjust the claims of the settlers on the so called Des Moines River lands in the State of Iowa."

The following are the material provisions as to the manner of its expenditure :

The Secretary of the Interior is required to appoint a special commissioner "to investigate, hear and determine the claims of all settlers, their heirs and assigns, who being duly qualified thereunto have under the homestead, pre-emption or other public land laws entered or filed upon lands included in the grant" made by the original granting act of August 8, 1846, and by the joint resolution of March 2, 1861. The commissioner is required to find the reasonable sums due if anything to the respective claimants, the measure of whose damages

shall be the amounts "heretofore" expended by them respectively "to purchase the paramount title" to the lands, or in case they have not "heretofore" purchased such title, the reasonable value of such title, if they are still in possession, or in case of eviction the reasonable value of the same at the time of such eviction. He is further required to find and determine,

"First. The amount of the just claims of persons, their heirs or assigns, holding patents or other written evidences of title from the United States who are now or who have been in continuous possession thereunder.

"Second. The claims of persons, their heirs or assigns, holding written evidences of title from the United States who have been evicted from said lands by process of court at the suit of the Des Moines River Navigation Company or its assigns.

"Third. The claims of persons, their heirs or assigns, for a valuable consideration, whose chain of title runs back to the person making the original entry of said lands and who have heretofore purchased the paramount title."

With the proviso that if the amount appropriated is not sufficient to settle all of the claims included in "Schedule E," of the special report of Special Agent Berner, before referred to, (said Exhibit containing the "entries where the entry men or their grantees appeared and presented their claims" to said special agent), "those remaining unpaid shall be submitted to Congress by the Secretary of the Interior, giving the amount of each claim," and payments made, and "shall not include any claim of any pre-emptor or homesteader who had actual notice of the adverse claim of the Des Moines River Navigation Company at the time of making such pre-emption or homestead claim, and only paid the necessary fees to the land officers, and who made no valuable improvements on the land so pre-empted or homesteaded." "All such claims" (meaning such pre-emption and homestead claims as had just been described) and all the facts in regard thereto "shall be reported to Congress; provided further, that said claims, except those hereinbefore indicated" (meaning the same pre-emption



*Yours very truly
Frank E Landers*

and homestead claims last referred to) "shall be paid in the order of their approval by the Secretary of the Interior, and no money shall be paid thereunder, in any case, until the findings of the commissioner, in such case, are approved by the Secretary of the Interior, who shall have full authority to control all proceedings authorized by this paragraph."

I cannot better conclude these papers than in the words of Justice Brewer when he had concluded the reading of the opinion of the Supreme Court—"Requiescat in pace."

THE SOUTHERN BOUNDARY OF IOWA.

BY FRANK E. LANDERS.

An Iowan looking on the map of his State is always pleased with its figure, and to him it is more than most pictures created by the skill and imagination of the artist. From her position with sister States, and her great resources, she has been rightfully termed the "Central Kingdom." Her limits to the north, an overland straight line, and the rivers on her eastern and western borders, winding their way southward, form a pleasing outline; but on the south some mistake seems to have been made. The line is broken about two-thirds of the way to the westward, the eastern part running from there north of east, cutting diagonally the townships and sections of the Government land surveys. The question is often asked—"Why the land survey lines and the boundary are not parallel throughout the entire line?"

It is the object of this article to present in as simple a manner as possible, the principal data that can be gathered from the acts of Congress, and the General Assemblies of Iowa and Missouri, treaties with the Indians, reports of the Supreme Court of the United States, together with other reports and papers relating to the southern boundary.

The real cause of the line not conforming to the land surveys is, that the former is a perpetuation of an old Indian boundary, while the latter is made from a series of parallels of latitude. In order to locate the Indian boundary, and define its bearing on the final establishment of the boundary line between Iowa and Missouri, it is necessary to trace its history through many acts of Congress and Indian treaties to the final decree of the Supreme Court of the United States.

On the 10th day of November, 1808, a treaty was concluded at Fort Clark, on the Missouri River, between Peter Chouteau, agent of the Osages, commissioned by Meriwether Lewis, Governor of the Territory of Louisiana and Superintendent of Indian Affairs, and the chiefs and warriors of the Great and Little Osage. The Indians agreed and covenanted with the United States that the boundary line between the two nations and the United States should be as follows :

"Beginning at Fort Clark, on the Missouri five miles above Fire Prairie, and running thence a due south course to the Arkansas, and down the same to the Mississippi; thereby ceding and relinquishing forever to the United States, all the lands which lie east of the said line, and north of the southwesterly bank of the Arkansas, and all lands situated northwardly of the Missouri, and it was mutually agreed by the contracting parties, that the boundary line thereby established, should be run and marked at the expense of the United States as soon as circumstances and their convenience would permit."

It was further agreed that the Osage Nations should send two Indians to accompany the surveyors, the better to designate the bounds of the country they stipulated to cede. The treaty was ratified by the United States April 28, 1810. A renewal of the treaty was made in 1815.

July 23, 1816, John C. Sullivan was appointed principal deputy by the Surveyor General of the United States and sent with instructions to run the Osage boundary line north of the Missouri River. He commenced the survey on the east bank of the Missouri opposite the mouth of the Kansas River and ran a due north course one hundred miles and established a corner. From that corner he ran eastwardly to the Des Moines River, a distance of about one hundred and fifty miles. The line was marked as well as could be done with

the limited means at hand, by wooden stakes and blazes on the trees of the forests. Sullivan completed the survey September 30, 1816, at the Des Moines River.

Missouri was admitted as a State August 10, 1821, from a part of the Territory of Missouri, which had formerly been established from a part of the Territory of Louisiana. The boundaries of the new State, as given in its constitution, provided that its south line should run west

"to a point where the said parallel is intersected by a meridian line passing through the middle of the mouth of the Kansas River where the same empties into the Missouri River, thence from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the River Des Moines, making the said line to correspond with the Indian boundary line; thence east from this point of intersection last aforesaid, along the said parallel of latitude to the middle of the channel of the main fork of said River Des Moines, * * *."

The western boundary of the State was made contingent on the old Osage Indian boundary line which had been run in 1816; the northern on the northwest corner of the Indian boundary and the "rapids of the River of Des Moines," which two points were indicated as lying in the same parallel of latitude. The exact location of the northern line was not called in question for many years after the admission of Missouri, the territory beyond being under the control of the Indian tribes and without any form of civil government except their own.

August 4, 1824, a treaty was concluded at Washington between William Clark, Superintendent of Indian Affairs, and the chiefs and head men of the Sacs and Fox Nations of Indians. According to the terms of the treaty the said Indians ceded to the United States all claims which they had in the State of Missouri the limits of which were described in part as

"a line running from the Missouri at the entrance of the Kansas River, north one hundred miles to the north west corner of Missouri and from thence east to the Mississippi; reserving for the use of the half-breeds belonging to the Sock and Fox nations, the tract between the Des Moines and Mississippi, and the section of above line between the Mississippi and Des Moines."

The Sacs and Fox Nations had claimed ownership of the

land in Missouri north of the Missouri River and west of the boundary line fixed by the treaty of November 3, 1804, running from the Missouri "opposite the mouth of the Gasconade in a direct course so as to strike the River Jeffreon, at a distance of thirty miles from its mouth," the same being a part of the lands ceded to the United States by the Osages in 1808. The United States in this last treaty with the Sacs and Fox Nations defined the northern boundary differently from that given in the constitution of the State, by not designating any fixed point of intersection with the Des Moines River.

The boundaries of Michigan Territory were by act of Congress of June 23, 1834, extended westward to the Missouri River and southwest to the State of Missouri. The southern boundary of the annexed portion of the territory as defined in the act was, "on the south by the State of Missouri, and a line drawn due west from the northwest corner of the State of Missouri to the Missouri River." July 3, 1836, Wisconsin Territory was established from the western part of Michigan Territory. Its boundary on Missouri and westward was defined similar to that of Michigan Territory.

On the 7th of June, 1836, Congress passed an act which provided

"That when the Indian title to all the lands lying between the State of Missouri and the Missouri River should be extinguished, the jurisdiction of said lands should be ceded to the State of Missouri, and the western boundary of said State should extend to the Missouri River."

The State of Missouri assented to the act of Congress December 16, 1836, and the territory was annexed by proclamation of the President March 28, 1837, the Indians having by several treaties previously ceded the lands in question to the United States.

The State of Missouri, after the extension of its limits, took immediate steps to locate the northern boundary of both the original State and the newly acquired territory, and by an act of the General Assembly approved December 21, 1836, authorized the Governor, with the advice and consent of the Senate, to nominate and appoint "three commissioners to

ascertain, survey and establish the north boundary of the State, and ascertain the point of commencement and termination thereof" as the same was "fixed and described by the constitution of the State and the act of Congress on the sixth day of March, 1820, and the act of Congress approved the seventh of June, 1836." The commissioners were to determine the latitude and longitude of the eastern point of termination "in the rapids of the River Des Moines and thence passing west on that parallel of latitude, to where the same strikes the Missouri River." The Governor was also "authorized to open communication with the President of the United States, and with the Governor of the Territory of Wisconsin," and to request the appointment of like commissioners. The act further provided that in case the United States and the Territory of Wisconsin did not appoint commissioners "within the space of six months" the commissioners of Missouri were to be directed to proceed with the survey. Both the United States and the Territory of Wisconsin failing to comply with the request within the prescribed six months, Joseph C. Brown was appointed by the State of Missouri to survey the boundary. He commenced work in July, 1837. After traversing the Des Moines River for several miles to ascertain the principal rapids he selected as the "eastern point of terminal" a point on the right bank of the Des Moines River at the "Big Bend," being some ten miles north of the Sullivan line of 1816, and from that point ran a due west course to the Missouri River. On the 11th of February, 1839, the General Assembly passed an act declaring the line run and marked by Brown to be the northern boundary line of the State.

The State of Iowa was admitted by act of Congress of December 28, 1846. The State constitution had been adopted by a vote of the people August 3, and on the day following, Congress passed an act repealing former acts, and defining the boundaries of the State the same as they were in the constitution, as follows:

"Beginning in the middle of the main channel of the Mississippi River, at a

point due east of the middle of the mouth of the main channel of the Des Moines River; thence up the middle of the main channel of the said Des Moines River, to a point on said river where the northern boundary line of the State of Missouri—as established by the constitution of that State, adopted June 12, 1820—crosses the middle of the main channel of the said Des Moines River; thence westerly along the said northern boundary line of the State of Missouri, as established at the time aforesaid, until an extension of said line intersects the middle of the main channel of the Missouri River, * * *

The act of Congress of July 3, 1838 establishing Iowa Territory, made no mention of the southern boundary. The first session of the General Assembly convened November 30, 1846, nearly a month previous to the passage of the act of admission. One of its first acts—December 7—was a passage of a resolution by the Senate requesting Governor Briggs to furnish that body with such information as might be in his possession relative to the southern boundary of the State. Three days afterward the Governor, in response to the resolution, sent a communication to the Senate, accompanied by one from Governor Clarke of Missouri, in which he recommended the enactment of a law “by which an agreed case might be made with the State of Missouri for the adjustment of the whole matter by the Supreme Court of the United States,” and urged its speedy enactment, particularly on the ground of its importance and that the establishment of the line would depend to a great extent on the testimony of individuals who might die or not be found when wanted. On the 16th of January following the General Assembly passed an act—Chap. 3, 1. G. A.—by which the Governor was “authorized and empowered to agree with the State of Missouri for the commencement and speedy termination of such suit as might be necessary to procure a final decision by the Supreme Court of the United States upon a true location of the southern boundary of the State,” the General Assembly of Missouri having passed an almost identical act March 25, 1845. The sum of one thousand dollars was appropriated toward carrying out the provisions of the act.

In February, 1847, Governor Briggs appointed Hon. Charles Mason, of Burlington, counsel on behalf of the State of Iowa,

who met with the counsel of the State of Missouri at St. Louis in June, when an agreement was made to institute a suit in the Supreme Court of the United States. The State of Missouri filed the original bill December 10, and the State of Iowa filed a cross bill. The case was presented by Mr. Gamble and Mr. Green for Missouri, and by Mr. Ewing and Mr. Mason for Iowa. The counsel for the State of Missouri claimed "that the parallel of latitude passing through the Rapids of the River Des Moines at the big bend in latitude 40° , $44'$, $06''$ north would precisely and accurately satisfy the descriptive call of the constitution and was the true northern boundary of the State of Missouri, as established by her constitution." The counsel for the State of Iowa claimed that the lower rapids of the Mississippi, a few miles above the mouth of the Des Moines, were the only ones that in 1820 bore the name used in the constitution of Missouri as "the rapids of the River Des Moines," and that the parallel of latitude passing through the center of these was the true northern boundary of Missouri.

The Supreme Court at its December term, 1848, decided that neither of the parallels claimed as the boundary was the true one, and so rejected the claims of both States and entered a decree that the proper northern boundary of Missouri and the true southern boundary of Iowa was the line run and marked in 1816 by John C. Sullivan as the Indian boundary from the northwest corner made by Sullivan extending eastwardly as he ran and marked the said line to the middle of the Des Moines River, and that a due west line from said northwest corner to the middle of the Missouri River was the proper dividing line between said States west of the aforesaid corner; and that the States of Missouri and Iowa were bound to conform their jurisdictions up to said line on their respective sides thereof, from the River Des Moines to the River Missouri. The State of Missouri was perpetually enjoined and restrained from exercising jurisdiction north, and the State of Iowa south of said dividing boundary. The court appointed Joseph C. Brown of Missouri and Henry B. Hendershott of Iowa, commissioners to find and mark the line run by Sullivan in 1816.

from the old northwest corner to the Des Moines River, and to run a new line from said corner west to the Missouri River.

The commissioners met by agreement April 28, 1850, at the supposed site of Sullivan's northwest corner, the point where they were to commence their survey. No precise trace of the "old North West Corner" remained, "yet from the running of many experimental lines, diligently examining the evidences before them, together with the reports of the surveyors, they became satisfied of its proper position, and accordingly established it," in what was supposed by them to be the northeast quarter of Section 35, Township 67, Range 23, latitude 40° , $34'$, $40.3''$ north; longitude 94° , $30'$ west.

The following diagram shows the supposed situation of the corner:



At the northwest corner they planted a solid cast-iron pillar weighing nearly 1,600 pounds, four feet, six inches long, and twelve inches square at its base, and eight inches at the top. The words "Missouri" was cast in its south side and "Iowa" in its north side, with "State Line" on the east. From this monument a line was run due west to the Missouri River, where a monument was planted similar to the one at the northwest corner. Another line was run from the same point of beginning eastwardly at a variation of from 8° , $45'$ to 10° east along the Sullivan line to the Des Moines River, where another monument was planted. Iron pillars were set every tenth

mile on both lines. Besides the iron pillars, wooden posts were set every mile between, on the east line for the reason that the "public surveys of the lands of the United States were to be governed and closed on said line as run by the commissioners, and therefore the private titles would be established on both sides, the state line being the dividing boundary of such private rights."

At the December, 1850, term of the court, the commissioners made their report, and on the 3d day of January, 1851, a final decree was entered establishing the line as surveyed and marked, being a distance of 60 miles and 61 links due west from the northwest corner as established by them, through the iron pillars to the Missouri River, and eastwardly through the iron pillars and wooden posts to the Des Moines River, a distance of 150 miles, 51 chains and 80 links.

In running the east line, deviations frequently occurred of from one to three degrees, so that a corrected line would bear about two degrees north of east from the "old north west" corner, to its terminal point at the Des Moines River.

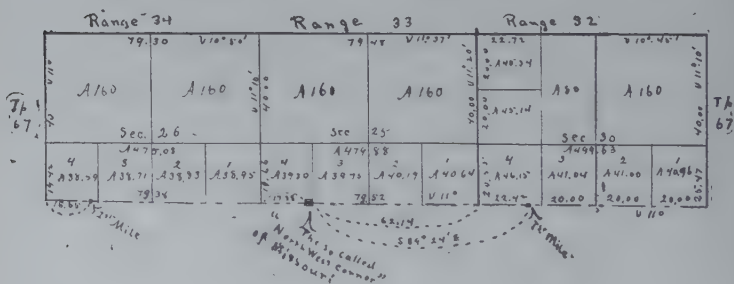
The conclusion of the labors of the commission, and final decree of the Supreme Court, settled a dispute that had been fraught with many scenes of border strife, and which was sure to continue, the State of Missouri being slave and the new State of Iowa free territory, and Missouri claiming according to her survey of 1837 jurisdiction over a strip of country of from ten to thirteen miles in width north of the settled boundary, the rights of which the free settlers of Iowa were ever ready to contest.

The total net expenses of the survey was \$11,029.53, of which \$3,514.76½ was taxed to Iowa, \$2,000.00 having been previously paid from money borrowed by the Governor from the school fund on his own note and bond.

The surveys of the public lands in Iowa and Missouri were made from the 5th Principal Meridian and from the Base Line running through the mouth of the St. Francis River, Arkansas. Parallels, or township lines, were run east and west six miles apart, and the townships, or strips of country between.

were numbered from the base line north. The southern boundary line of Iowa between the Des Moines and Missouri Rivers, lies in Township 67 north, running from the old northwest corner, due west to the Missouri, and from said corner about two degrees north of east to the Des Moines River, so that a distance north has been gained at the eastern terminal of about three miles. The township lines were run without regard to the Missouri and Iowa boundary. The subdivisions of Township 67 were made by running from the north and east lines south and west, closing on the south on the Sullivan line of 1816 and the Commissioners' boundary line of 1850, terminating in fractional sections and other fractional subdivisions.

The following diagram shows a section of the land surveys on the south line of Iowa, at the "Old North West Corner":



The "North West Corner" was designated in the boundary survey as being in the northwest quarter of section thirty-five. The lines of the land surveys bore about one-half mile further west and south than was apparently expected by the boundary commission, so that the corner is now shown to be in the southwest quarter of section twenty-five, Township sixty-seven, Range thirty-three.

In the foregoing pages I have merely attempted to trace the official history of the commencement, progress and termination of the "matter of difference" between Iowa and Missouri upon the question of boundary between them, and to account for its variation from the straight line one would reasonably



George Alfred Hebard

expect to see in a region mapped by Government surveyors. How the question led to a political imbroglio, which at one time threatened to result in open war between these States, I have not attempted to explain. This question of hostilities I leave to other pens.

Webster City, Iowa, Nov. 15, 1894.

THE BORDER WAR BETWEEN IOWA AND MISSOURI, ON THE BOUNDARY QUESTION.

BY HON. ALFRED HEBARD.

In our Territorial days there was little that marked any of the three administrations of the three Governors appointed to rule over us, except the Indian treaty negotiated by Governor Chambers* and the threatened Missouri border war, a sensational incident that occurred during the administration of Governor Lucas. Of the latter, I am not aware of any specific record now existing. As I understand it, the boundary between Iowa and Missouri was described as a line running due west from the Des Moines Rapids to the Missouri River. But the Des Moines Rapids in the Mississippi were twelve miles long, extending from Keokuk to Montrose, and a line drawn from any point in them due west would fulfill the conditions. No matter how it happened, there was a serious disagreement about the boundary, and as counties were organized on the opposite sides, there would inevitably grow up a conflict of authority. Iowa settlers tried, of course, to shove the line south. The Missourians tried to crowd it north. Sheriffs were chasing criminals back and forth, and sometimes were themselves arrested when serving civil processes, because they were beyond some supposed boundary. A state of confusion of course followed such a condition. The population along

* See page 397 *Annals of Iowa*, July, 1894.

this disputed line was very sparse, scattered from grove to grove, most of whom on the Missouri side had drifted up from below and had not yet advanced far enough in civilization to entitle them to the rank of "squatter sovereigns." Nomadic in character, living mostly by hunting, like their Indian *confreres* who still lingered among them, fit antecedents of those who in later days became bushwhackers and "border ruffians." On the other hand I cannot at this day entertain a very high opinion of those Iowa people who sought homes in a locality where the moral element at the time had few attractions for well disposed people. These rude ramblers were unimportant in themselves, but, as it often happens, they were smart enough to make trouble, while to do good they had neither purpose nor understanding. As a consequence, loud were the reports of the border troubles in the southwest. Those naughty Missourians were invading Iowa soil and defeating the ends of justice. These reports undoubtedly gained too willing an ear on the part of our worthy Governor and his advisers. Prompt action by force, in support of law and order, was at once resolved upon. Then, as now, there were men ready to identify themselves with any unusual event that would give notoriety if not renown.

Governor Lucas was reported to have had a successful experience in a similar border trouble between Ohio and Michigan, known historically as the "Wolverine war." This may have affected his present action. I do not impugn his motives. A show of prompt action is sometimes effectual without anything further. The rank and file among us knew only the letter of our orders. Any latent purpose on the part of those in authority was a sealed book to us. Ours was to obey, not to suggest or advise. But more than a few of us, in our ignorance, perhaps, believed the order for military service in severe winter weather to be without adequate cause.

I give my own experience in this border war army, because it will tell the story better than any attempt at a general statement. In the month of February, of the year 1840 (I think), I found, on reaching my cabin on Saturday, an unexpected

document, nothing less than a commission from the Commander-in-Chief, appointing me captain of a military company to be raised within a certain defined beat, also naming Warren Dee and Thomas R. Davis, as my lieutenants, with orders to organize and report for duty. Recovering from a momentary amazement, I rode over to see and consult with my lieutenants. No matter what we thought, we agreed at once to drum up our beat. Couriers were dispatched to sound the tocsin in the remotest corners, proclaim the imminence of war, and call upon all able-bodied men to appear on the following Monday at Billy Moore's blacksmith shop, on Long Creek, ten miles west of Burlington. Also, to bring with them or report all war machinery within their reach. Sunday passed and Monday came. There had been talking, thinking, and some writing, for a paper appeared, nailed to the shop door in open view. It discussed the situation in a decided manner and came to a decided conclusion. It was very generally read and seemed to meet with a hearty response. At the appointed hour, the Captain, with an old dragoon sword strapped to his side, made a brief speech, saying that all understood the situation as well as he did, but owing to the great difficulty of providing supplies, equipments and transportation at such an inclement season it was necessary to know first what our force would be. He knew that some could not go, others were disinclined and might risk disobeying orders. To test the matter he scratched a line in the slight snow on the ground, and requested all who would go to come forward and "toe the mark." For several minutes no one moved. Presently, however, two sons of Erin, who had probably found something somewhere to stir their courage, shoved the toes of their boots up to the line. The infection spread, another and another slowly ventured up, till finally a large majority were on the line, brave and hilarious. The Captain, *nolens volens*, was "in for it" now. The only thing to be done was to make ready and report as soon as possible. We agreed to meet the next Wednesday and see how near we could get to a starting point. Wednesday came and we straggled together again, but not in

a very hilarious mood this time. Many had been painting what they were to leave behind. They fancied a lone cabin, in the edge of a grove, with its early smoke rising straight to the clouds; the wood-pile at the door, consisting of a few saplings half covered with snow, a dull ax leaning against it, waiting to be used; an old cow, with roached back, in the angle of a fence that inclosed the hay, waiting for attention. But where was the man whose duties were thus suggested? He was a hero now, marching to the Missouri line, one hundred miles away, to reconstruct the disorderly, while the wife, children and the cow took care of themselves, in a temperature below zero.

While we were discussing and arranging our preparations, tidings came and we were all eager listeners. The border trouble had been settled, and the order for military service revoked, signed by A. C. Dodge, a sympathetic man, who thus gained a warm place in our hearts.

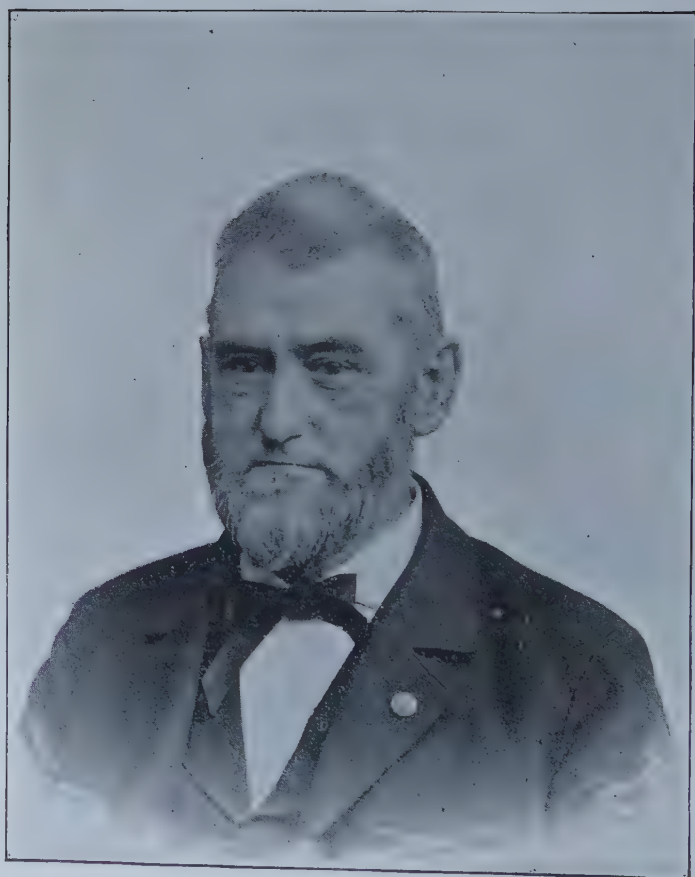
Some other localities were ahead of us. A company from Muscatine was already in Burlington. Another had been formed at Davenport, but had not left. We were greatly relieved, cruel exposures were avoided, the war was over and our honor was bright. Whatever we may have thought, no act of disloyalty was chargeable to any one. Had the end not come when it did, it might have been otherwise. Many I fear would have found excuses for returning, and would have exercised their rights as squatter sovereigns without asking leave. But thanks to General Dodge for his agency, we were our own again, at liberty to return to our homes with a prolific theme for neighborhood and fireside conversation.

But the real end was not yet; an afterpart occurred. By and by rumors were in the air, that a "month's pay was possible for those who promptly obeyed the call." As the Long Creek officers did not lose an hour before sounding the tocsin of war and drumming up their beat, it was thought the chances of their company would be number one. Before anything could be done, however, something definite must be known of our number, the time and nature of our service.

To this end a review was ordered. An officer of the United States Army was detailed by the War Department to inspect the material of the Border War Army and make a report. Notice was given of a day appointed in the early spring, after our supposed winter campaign. No imperative order for our appearance was needed this time. If we could bag a month's pay for a parade of a day, we were more than willing. When the day arrived the sovereigns appeared. The streets of Burlington were thronged and conspicuous among them was Colonel Temple, our commanding officer. He enjoyed his distinction but a brief moment, though, before he might have been seen brushing the dust from his handsome suit, while a lively nag with empty saddle and flowing rein was capering up the street. With a little aid he was mounted again and ordered the parade on the north hill; thither we all straggled. Our energetic Colonel worked hard to put us in order, for we were green and raw. We were told how to act and how to look—that it was military to look stern and defiant. While the Colonel and his men were thus engaged, the reviewing party had taken their stand. It consisted of the Governor and his two Aids and a Lieutenant of the United States Army, all mounted. Our worthy Governor, if intensely democratic in his feelings, was none the less in the simplicity of his dress. Strong, serviceable boots met or enclosed the legs of his pantaloons. A blue jeans coat "all buttoned down before" encased his form and a hat that once was new crowned his head. His right-hand Aid, General Morgan, neither robust in person nor erect in figure, though a lively, incisive editor, made no striking military appearance. Colonel Jesse Williams in citizen's attire was on the left flank, being like his chief, "tall as a mast, straight as a bolt." They both sat their steeds with becoming dignity. In striking contrast with our plain Governor in appearance, was Lieutenant Ruggles, our reviewing officer. He was anchored some ten or fifteen feet directly in front of Governor Lucas, and "sat his horse" with ease. Military boots with high buff-tops, with short clothes matching in color, encased his nether limbs. A coat of regu-

lation blue, richly adorned with lace and gilt buttons, fitting tightly to the throat, showed his manly form. Dazzling epaulettes adorned his shoulders, and a military chapeau surmounted by two long waving plumes adorned his head. I know that all this was in accord with military custom, but at that day it was a novel sight to us, being accustomed more to the simple garb our Governor wore, and to head-gear often fashioned from the skins of the rabbit and coon. Arrangements being finally completed, the Colonel set his troops in motion. The tap of the drum gave the step for the march. On we moved in platoons of six or eight abreast. Alignment was important, but difficult to maintain on a field covered with hazel brush and scattered with limbs of trees whose trunks had been removed. Some of us tripped occasionally and the alignments were now and then somewhat demoralized, and a few hasty words might have been heard, impolite in good society, but admissible among soldiers. On reaching the crucial point an order was given to "Present arms!" Every gun, and everything representing a gun, jumped about a foot ahead of its bearer, in honor of, or compliment to the reviewing party. A few rods further on, another order was given to "Shoulder arms!" and every gun jumped back to its normal place at the shoulder. Our success in these brilliant maneuvers was not quite perfect for lack of proper alignment, and from the further fact that we were more engaged inspecting that gay Lieutenant than he was in inspecting us! After all was over our Colonel made us a modest little speech, saying we had done fairly well and that he was rather hopeful, and closed by saying, "The Review is over and you are dismissed!" Three hearty cheers were then given, one for the Colonel, one for the reviewing officer, and one for the Governor, and all broke at once for their tents.

Days and weeks passed by—and what of our month's pay? Listening ears had heard nothing. Anxious souls had learned nothing. At last it flashed upon our minds, that, perhaps the reviewing officer regarded our parade very much in the same light as we did ourselves, and so visions of pay, and pensions



Sincerely yours,
Wm. S. Moore

and glory, passed away, and we were soon busy again in the humdrum round of commonplace life.

All this was fifty-five years ago. Since then the world has moved far along. Midway between then and now, our country had an experience that was no military farce, but a terrible reality, a very death-struggle for existence.

Since then the untamed field on the North Hill where we met has become a charming part of a beautiful city. Mansions of wealth and homes of comfort cover its entire extent. But they are not the homes of those who, buoyant with life, and health, and strength, then and there tried to march proudly, keeping step with the "stirring drum." The Governor and his aids, the Colonel and his staff, and all the rank and file, save possibly a very few last remaining leaves upon the tree, have heard their last tattoo on earth, and now sleep quietly, where no reveille shall ever again disturb their rest.

Red Oak, Iowa, Dec. 1, 1894.

THE RUSH TO ARMS IN 1861.

BY W. S. MOORE.

The majority of the people of the present generation have no conception of the grandeur of the spectacle presented to the world in April, 1861, in the alacrity with which the patriotic young men of the Nation flew to arms. The knowledge of the events which marked that heroic epoch in our national history possessed by those who have been born within the last thirty-five years is necessarily limited. Time is a great condenser of history, and years hence a brief paragraph may tell the story of the great war between the northern and southern sections of the United States. To those of us who were contemporaneous with that time and took part in the stirring scenes of 1861 to 1865, the lapse of one-third of a century has not even made misty the memory of the rush to arms and the spirit that animated the volunteer.

In 1861 I was a resident of Fairfield, the beautiful county seat of Jefferson county. Stepping into a law office about 8 o'clock on the evening of April 12, I found seated a group of young men discussing the event of the firing on Fort Sumter and the call of the president for 75,000 men to put down the rebellion. Three of them were law students, one was principal of the public school, and all were of high standing in the society of the town. One regiment was the contribution asked from Iowa, and these young men resolved at once to have their names on the roster of that regiment. A roll was then started, and all present signed it, towards the formation of a company of one hundred men, and in twenty-four hours the roll was complete.

But these men were not alone in their promptness in responding to the call. At the same moment that this roll was started a similar movement was inaugurated in every town and city in the State, and the captain of almost every militia company had already tendered the services of his command to the governor. It soon became evident, therefore, that the Fairfield company would not be a factor in the make-up of the 75,000 volunteers for three months. Closely following this call, however, came one for volunteers for three years or during the war. This staggered some of the men for a time. Three years seemed long. Some of them had wives and children to leave behind; others had just married, and felt that they ought not to go; and many of the young men would be compelled to tear themselves away from their sweethearts. But they were not to be thus baffled. An occasional man may have dropped his name from the roll, but memory recalls not one. At all events, in an incredibly short space of time one hundred men were enrolled for three years, officers were elected, and they were ready for departure to the field of conflict. After a few days of training in the manual of arms they were off for Keokuk, to become distinguished as a part of the subsequently illustrious Second Iowa Infantry.

The scene at the depot the morning the company departed for rendezvous at the Gate City, had its exact counterpart at

many railroad stations all over the country, and will not be forgotten while a witness to it survives. But though vividly and ineffaceably photographed upon my mind, an attempt at accurate description would necessarily fail. It was a great emotional drama, in which the entire population, covering acres of ground, were actors. The spectacle of one hundred men and mere boys of various ages, from eighteen to forty-two years, inured to the pleasures of home and devoted to the society of family and friends, taking their lives in their hands, leaving behind them all that was dear and sacred, and departing for the tented field, was awe-inspiring and incomprehensible. Stout-hearted men, gentle maidens, lovely women and tender children, were there. All were in tears. The weeping was infectious if not contagious; but the tears were not tears of sorrow—they were the spontaneous outburst of patriotic emotion, sympathy and admiration for the heroic spirit of the departing volunteers.

The fortunes of war dealt kindly with a goodly number of these brave men, harshly with some, and cruelly with others. Several died of wounds, some were killed in battle, and many died of diseases incident to camp life, a mere fragment of them returning to their homes at the close of the war. Of the group of young men referred to as forming the nucleus of the company, the first man to put his name on the roll (Lieutenant George Strong) died at St. Joseph, Mo., in less than two months after being mustered in, his death being the second to occur in the regiment and the first in the company. He was an exceptionally promising young man. At the time of his enlistment he was principal of the Fairfield public school, and was studying law. The Grand Army post at Fairfield perpetuates his name.

The Second Iowa Infantry embraced in its membership all classes and conditions of men in the every day walks of life, and in this regard was similar to any other regiment of volunteers; yet it is perhaps safe to assume that the men in its ranks were more thoroughly representative of the impulsive patriotism developed on the first call to arms than those con-

tributing to the make-up of regiments subsequently enlisted. It was the first regiment that left the State, and was composed principally of young men, the average age being but twenty-two years. The spirit with which they were endued and the sentiment that received unanimous endorsement by the rank and file, was tersely expressed by General John A. Dix, as follows: "If any man attempts to haul down the American flag, shoot him on the spot." Few men in the regiment thought of position in the service higher than that of private soldier, though there were men in every company competent to fill any station in the military or civil service of the country. There was no scramble for office and in the company to which I belonged the offices sought the men who received commissions as the first officers. The oldest man in the company was elected captain, and the first lieutenant enjoyed the distinction of having been the first man to enroll his name. There may have been men in other companies who aspired to official positions in line or field, but in this respect the men of Company E seemed utterly unambitious. President Lincoln was credited with the statement that there were men in the ranks of every regiment fit to be president of the United States, and recent history records the fact that a Second Iowa man was twice nominated for president and made the country vocal with his fiery eloquence.

The only man in the regiment specially known to fame at the time of its organization was its colonel—SAMUEL R. CURTIS—who resigned a seat in Congress to accept the colonelcy of the regiment. Colonel Curtis was a graduate of West Point, and had distinguished himself as an officer in the war with Mexico. He was eminent as a civil engineer, an advocate at the bar, and an orator and statesman. He was too valuable a man to remain long as colonel of a regiment, early rose to the rank of major general, and became one of the most illustrious men in the war. He was a massive man in every sense, and one of the finest appearing military officers I ever saw in the saddle.

Des Moines, Iowa.

ANNALS OF IOWA.

EDITORIAL DEPARTMENT.

THE ORIGIN OF A FAMOUS INSCRIPTION.

When Hon. John F. Lacey, M. C., made his speech from the east front of our Capitol on Battle Flag Day, August 10, 1894, he quoted the motto chiseled on the stone contributed by Iowa to the Washington Monument. Hon. George G. Wright, of Des Moines, who had something to do with the inception of this inscription, was of the impression that it was in some respect different from the version in Mr. Lacey's speech, and accordingly wrote that gentleman in regard to it. The following is Mr. Lacey's reply:

HOUSE OF REPRESENTATIVES, U. S., }
WASHINGTON, D. C., August 16, 1894. }

DEAR FRIEND: Your letter in regard to the inscription on the Washington Monument is at hand. I went to the monument this morning and copied the inscription. It is as follows:

"Iowa.

Her affections, like the rivers of her borders, flow to an inseparable Union."

This is more compact than my quotation:

"Iowa:

The affections of her people, like the rivers of her borders, flow on to an inseparable Union."

I quoted it from memory and it was so strongly impressed on my boyish memory at the time that I first saw it, at the time of its adoption, that it never occurred to me that I might not remember it with strict accuracy. I am in doubt which one I would choose, if I were now selecting it for the stone cutter. There is also a Masonic stone cut out of a dark granite boulder with the following inscription:

"Grand Lodge of
Iowa,
A. F. & A. M.
1876."

With my kindest regards,

Yours truly,

JOHN F. LACEY.

Hon. George G. Wright.

We have been used to seeing this motto quoted as Con-

gressman Lacey gave it in his speech, but everybody must stand corrected now that he has seen and copied it from the Iowa stone.

By reference to the Senate Journal of the Third General Assembly of this State, pages 23 and 24, we learn that Mr. Josiah H. Bonney reported as follows to Governor Ansel Briggs:

IOWA CITY, Nov. 30, 1850.

To His Excellency, Ansel Briggs, Governor of Iowa:

The undersigned, appointed by your Excellency an agent to procure a suitable block of marble or other stone, to be furnished by the State of Iowa, for the Washington Monument, would respectfully report—That after having examined all the quarries in the State now worked, from which it was supposed such stone could be obtained, succeeded in procuring a block of the proper dimensions from the quarry of Moses B. Root, of Van Buren County.

The stone is now at the shop of Mr. Root, in Keosauqua, blocked out of the proper size and shape, ready to be finished in such manner and with such inscription thereon, as the General Assembly may direct.

Mr. Root looks to the liberality of the General Assembly for such compensation for his services as they may think him entitled.

I have the honor to be

Your Excellency's ob't serv't,

JOSIAH H. BONNEY.

This letter was transmitted to the Senate with the Governor's message. On the 14th of December Senator George G. Wright moved,

"That so much of the Governor's message, and accompanying documents, as relate to the procuring of a block of marble, for the Washington Monument, be referred to a committee of three, to act with a similar committee to be appointed on the part of the House."

This motion was agreed to, and Senators Wright, Shields and Espy, were appointed as such committee.

On the 20th of December we find the following final reference to this stone and its inscription:

Mr. Wright, from the select committee to whom was referred that portion of the Governor's message relating to the block of marble for the Washington Monument, made the following report:

That they have been informed and understand that nothing is wanting to the completion of the marble block but a suitable inscription to be placed thereon, and that the workman has been waiting directions upon this subject. To select one that would appropriately designate our locality and unchangeable fidelity to the Union, has been our great object.

Your committee, after a careful examination, would recommend the following :

" IOWA.

Her affections, like the rivers of her borders, flow to an inseparable Union."

Your committee further recommend the adoption of the following resolution :

Resolved, That the Secretary of the Senate and the Chief Clerk of the House, jointly forward a copy of this report to M. B. Root, Keosauqua, Iowa, with instructions to place the inscription above recommended upon the block of marble by him prepared for the Washington Monument.

All of which is submitted.

On motion of Mr. Lewis, the Senate concurred in the report of the committee.

Judge Wright informs us that while this matter was pending in the hands of the committee, he invited several gentlemen to suggest inscriptions for the Iowa stone, and that a large number were in consequence received and considered. Among others, the late Lieutenant Governor Enoch W. Eastman furnished three or four, including the one which was finally adopted. Judge Wright, however, is of the impression that the inscription as furnished by Governor Eastman was identical, or nearly so, with the quotation made by Mr. Lacey, but, owing to the requirements of space, the wording was cut down as it now stands. For some time after the newspapers attributed the inscription to Judge Wright, an impression which he took every opportunity to counteract. The credit, and the sole credit as he informs us, of the thought embodied in this inscription, is due to Lieutenant Governor Eastman. Such facts are very apt to be forgotten in the lapse of years, where the history of a great State has not been written, and it is well to revert to original sources for correct information, as we have done in this instance.

WHY WE PRIZED THE OTTOMAN.

When the writer settled in Webster City, the bright and vigorous capital of Hamilton County, away back in 1857, the furniture dealer had not made his advent into that then altogether primitive region. Whatever was needed in the way of furniture had to be made in a rough sort of way, or "waggoned in" from Dubuque or Iowa City. Out among the farmers,

home-made bedsteads, chairs with seats made of a bit of board, were very common objects and by no means uncomfortable. There were not more than two hundred people where now there are several thousand. Among these was a very companionable and pleasant young man by the name of Edward F. Cutting, a carpenter, and something of a musician. Mr. Cutting became one of our favorite callers, and we esteemed him very highly. One day the little mistress of our home asked him to make the frame for an ottoman. The best he could do was to construct a box, from fragments of other boxes, about 18 inches square and 9 inches high. Around this a piece of our 3-ply woolen carpet was neatly fitted, the top being raised and padded to form a cushion. Of course, this was a very plain small job, "less noted for beauty than strength." It was sometimes used as a footstool, and sometimes to sit upon. It is still in our home and as good as the day it was made, thirty-seven years ago. But the man who made it was one of the first volunteers from Webster City—going out as a private in Company D, of the 16th Iowa Infantry. He was soon appointed 4th Corporal. This command fought at Shiloh and suffered severely. At one time, when the enemy's fire was the hottest, the brave young Colonel Chambers ordered his men to lie flat upon the ground. Cutting, with the whole line in which he stood, obeyed the command. Presently the order came to rise; but it was noticed by those near him that Corporal Cutting did not stir. A comrade touched him and saw that he was quite dead. A rebel bullet had entered the top of his head, ranging downward into the body. He had not moved—the fatal missile had so instantly killed him! His head lay in a little depression which was filled with his blood, and "his face was white as chalk," said the comrade. He was buried on the field. The writer made an effort to secure the removal of the remains to Webster City—but it did not succeed. In that little community, where everybody knew everybody, the news of his death caused a profound sensation. He was so excellent a man, so bright and genial, so kindly in

his intercourse with those around him, so upright and pure in character, so installed in the confidence of people who knew him, that his loss came home to all as a personal one. Every good wish had gone with him at his enlistment, though he had no relatives in the county. He was a New England boy, raised with good habits, prudent, industrious and praiseworthy. Even yet he must be remembered in great kindness by the old settlers. We believe he was the first man killed from that county—certainly the first from Webster City.

We have always taken good care of that useful little piece of plain, home-made furniture, and seeing it brings to mind the handsome young pioneer who constructed it. We prize it for his sake, and some day we may search for his grave near the spot where he fell.

THE BOUNDARY BETWEEN IOWA AND MISSOURI.

This subject having been under discussion of late, with only a partial disclosure of its history, we have secured from Mr. Frank E. Landers, author of the Historical-Geographical Atlas heretofore mentioned in *THE ANNALS*, an article wherein he lucidly sets forth the various official acts which resulted in the establishment of our southern boundary. This, we believe, presents for the first time the full history of its establishment, and is therefore of permanent value as a historical document.

On the other hand, Ex-Senator Alfred Hebard, of Red Oak, Montgomery County, gives the reader his own personal recollections of "the bloody war" which at one time seemed imminent between Iowa and Missouri over this question. He had the honor of being commissioned Captain, by Governor Robert Lucas, with orders to raise a company of men for this "service on the border." Happily, however, the controversy was settled amicably without an appeal to arms. These articles are valuable as throwing light upon interesting episodes in the early history of our State which are now

almost forgotten. Beyond the fact of the irregularity of this boundary, and that it was for a time a serious bone of contention between Iowa and Missouri, little definite knowledge has been accessible to the general reader. It has been necessary to dig this information out of musty old documents, the acts of Congress and the Legislatures of Iowa and Missouri, and decisions of the Supreme Court of the United States. We also have the promise of another article, in which the question will be treated from quite a different standpoint.

JUSTICE TO EDWARD RUSSELL.

In Mr. Gue's interesting sketch of the life and public services of Hiram Price, he pays a deserved tribute to that distinguished gentleman for his aid in "striking out the word *white*" from the constitution of our State. But while mentioning the author of the movement—Mr. Edward Russell, of *The Davenport Gazette*—we hardly think he renders full justice to him as its originator and defender. The writer was in that convention and believes that he remembers the circumstances very clearly. There had been more or less discussion of the subject of impartial suffrage in the general press and throughout the country, but it was one of those vexed questions upon which there was far from being unanimity of feeling, even amongst those who fought against the rebellion. In the Republican State Convention of 1865, Edward Russell was a member of the committee on resolutions, and during its deliberations offered a proposition to "strike out the word *white*." The committee rejected his proposition and reported the following as its recommendation on the suffrage question :

"That with proper safeguards to the purity of the ballot box, the elective franchise should be based upon loyalty to the Constitution and the Union, recognizing and affirming the equality of all men before the law."

But when the resolutions were reported to the convention Mr. Russell moved his famous amendment, as follows :

"Therefore, we are in favor of amending the Constitution of our State by striking out the word *white* in the article on suffrage."

A motion was made to lay the amendment upon the table, but as this would carry the resolution there also, it did not prevail, and the convention was brought squarely to a vote upon the proposition. A vigorous debate ensued, in which Mr. Russell led, followed by Hiram Price, Enoch W. Eastman and Henry O'Connor, in support of the proposition, while it was opposed by several able and eloquent gentlemen. When a vote was at last taken it resulted as follows: For the Russell amendment, 513½; against it, 242½. In this contest we are quite as certain that Edward Russell was the real leader, making one of the most determined fights that we ever saw in a convention, as that odium was visited upon his head—temporarily—by those opposed to impartial suffrage.

“In the process of the suns” the Constitution of our State, as a result of this contest, was amended in the year 1868, by striking out the word “white,” except that it was carelessly left in Section 4 of Article III, which defines the qualifications of Members of the House of Representatives. This was finally stricken out in 1880, and from that time forward suffrage and the rights of all men have been equal before the law in Iowa. These results were no doubt inevitable and certain to come in time, but the fullest credit for initiating and leading the determined effort of that day is due to Edward Russell.

Mr. Russell retired from *The Gazette* several years ago, removing to Minneapolis, Minn., where he engaged in other business. He died there in 1891.

THE MIDLAND MONTHLY.

The very fine portrait of Dr. Geo. F. Magoun, which appeared in *THE ANNALS* for October, was copied by the kind permission of the Editor, from *The Midland Monthly*, in which it originally appeared; but through some inadvertence the proper credit was not given for the loan of the engraving. While now making amends for this omission, we desire to record our opinion of this excellent periodical—the founding

of which we cannot but regard as the most important event that has ever occurred in the literary history of our State. When Mr. Brigham announced his purpose, something more than a year ago, in the midst of the hard times, and when the business outlook was most forbidding, of starting a literary magazine in Des Moines, the wisest journalists shook their heads. The enterprise certainly seemed to be "extra hazardous." But the result has more than justified his wise forecast of the situation. He saw literary resources in Iowa and the Middle West, and a promise of liberal patronage, which were certainly hidden from the vision of everybody else. His announcement made, he addressed himself to the great task he had undertaken, with a degree of ability, energy, courage and perseverance, which entitle him to a high place among the praiseworthy innovators of his time. His surpassing ability as an editor is visible to any one who even casually turns the pages of a copy of his magazine—but he has accomplished the more perplexing and difficult end of making it a business success. As an editor he has been able to secure the services and the hearty good will of many writers of more than national reputation, as well as to discover and call out a wide diversity of home talent, latent and undeveloped before. While strong in its general features, he has given it a high character as an *Iowa* magazine—typical and representative of this great Midland country. Such a success in one brief year is rarely won, even through the hardest work and the most lavish expenditure of money. We are glad to know that the publication enters upon its second year under auspices so very encouraging. Congratulating its brave and accomplished editor upon his good work already done, we commend *The Midland Monthly* to the especial favor of the people of Iowa.

OUR ARTICLES AND ENGRAVINGS.

The frontispiece of this number of THE ANNALS—a fine steel portrait of Hon. Hiram Price—was engraved expressly

Wm. Horace Greeley
New York

Executive Mansion
Washington, Aug 15. 1864

I suppose you received my letter
of the 9th & have just received yours of the 13th
and am disappointed by it. I was not expecting you
to send me a letter, but to bring me a new, or
new. The way goes to you with my answer to yours
of the 13th.

Abolition

for our pages. It is an excellent likeness of that distinguished gentleman during the second period of his Congressional service, and from a photograph taken in 1878. It appropriately accompanies Mr. Gue's valuable historical sketch of the public services of Mr. Price.

"Old Fort Armstrong" is frequently mentioned in the early history of Iowa and Illinois, and especially in connection with the Black Hawk War; but engravings of that famous frontier post are scarce and very seldom met with. To Mrs. Maria Peck, of Davenport, we are indebted for a very interesting account of its construction and its mission, with which she sent a photograph of an old engraving, which we have reproduced.

Dr. Elliott Coues, of Washington, D. C., contributes four original letters from the files of the War Department, by Governor William Clark (of the Lewis and Clark Expedition) and Sergeant Nathaniel Pryor. They possess much historical value and are published here for the first time.

Captain H. I. Smith, of Mason City, narrates bitter experiences showing the rough side of war and how hard-hearted men "dressed in a little brief authority" sometimes become. His portrait is from a war-time photograph.

Colonel C. H. Gatch concludes his history of the Des Moines River land troubles, a subject which he has treated with his well known ability, fairly and impartially. With the article we include his portrait from a recent photograph.

Mr. Frank E. Landers presents a synopsis of the official history of our southern boundary difficulty; and Hon. Alfred Hebard his recollections of the preparations for the "border war" between Iowa and Missouri, which wiser counsels nipped in the bud, apparently at the last moment to prevent bloodshed. We are glad to be able to print portraits of the authors.

Mr. W. S. Moore writes of the stirring times in our State at the outbreak of the war for the Union, recalling scenes still vivid in the memories of those who participated in them. A good portrait of the old printer-soldier accompanies his article.

We print from a plate engraved for *The Midland Monthly* a

fac simile of probably the most valuable single piece of manuscript in Iowa—one of the historical telegrams of Abraham Lincoln. The original may be seen at the State Historical Rooms.

NEW PUBLICATIONS.

During the past autumn a beautiful little book was issued under the auspices of the Historical Department of Iowa, Des Moines, with the following title: "John Brown among the Quakers, and Other Sketches. By Irving B. Richman, Consul General of the United States to Switzerland." In addition to the sketch which gives title to the work, it contains others as follows: "Mascoutin: A Reminiscence of the Nation of Fire;" "Black Hawk, Keokuk, and Their Village;" "Nauvoo and the Prophet;" "The First Meeting with the Dahkotahs;" "The Tragedy at Minnewaukon."

This book has not only been most cordially welcomed by the press of our own State, but has received highly complimentary notices in several of the leading papers and periodicals of the East. Some of the sketches had been published before, but three of them are here printed for the first time. Together, they make a readable and highly valuable work upon important episodes in Iowa history. The edition is but a limited one, however, and it will soon be exhausted. Mr. L. B. Abdill, bookseller, Des Moines, is Mr. Richman's agent for the sale and distribution of this book.

The State Historical Society at Iowa City has just issued a neat pamphlet of 136 pages, under the following title: "Historical Lectures upon Early Leaders in the Professions, in the Territory of Iowa, delivered at Iowa City, 1894." The contents are as follows: "Early Medical Practitioners, by Dr. William Watson, Dubuque;" "Early Teachers, by Prof. Leonard F. Parker, Grinnell;" "Early Members of the Bar, by Hon. Theodore S. Parvin, Cedar Rapids;" "Early Clergy—Compilation by J. L. Pickard, Iowa City."

This pamphlet comes out under the able and judicious editorship of Dr. J. L. Pickard, a guarantee that everything about it is well done. In addition to his task as promoter and editor, he has compiled and for the most part re-written the data relating to "The Early Clergy of Iowa." We regard this work as one of great value. It is certain to become an authority in Iowa history; and to be largely referred to in the future. Our only regret in regard to it is, that the limits of our space will not admit of quoting liberally from pages so replete with precious historical information. No doubt the edition is a limited one, and hence every public library should secure and carefully preserve it.

"Higher Education in Iowa," is the title of a work of 190 pages, by Leonard F. Parker, Professor of History in Iowa College, Grinnell. It was published by the National Bureau of Education, Washington, D. C., and comes to us in the

simple paper covers of a public document. It is, however, one of those carefully prepared and exhaustive monographs which possess not only current interest, but permanent historical value. In no other work that has yet appeared is there such a complete survey of the origin and development of the higher educational facilities of our State. Prof. W. T. Harris, Chief of the Bureau of Education, in transmitting it to Gen. John W. Noble, Secretary of the Interior, commended it as a work "which is instructive to all students and observers of educational progress."³ It contains many fine illustrations of the leading institutions of our State. It is a work which will be highly valued by every intelligent person into whose hands it may come. As it is a public document, we presume copies may be had by writing any Member of Congress, or the Chief of the Bureau of Education, Washington, D. C.

The State Historical Society a few months ago also published a pamphlet of 196 pages, under the following title: "Constitution and Records of the Claim Club of Johnson County, Iowa. With Introduction and Notes. By Benjamin F. Shambaugh, A. M." While it is for the most part a simple compilation, its contents were dug out of musty old documents, the only wonder concerning which is, that they were not long ago destroyed. Before the Government offered lands for sale in many regions settlers had come in who needed some means by which to protect themselves in the possession of their rights to the soil. Organizations were formed for this purpose and records kept of every claim. The Claim Club was therefore a sort of government to protect the pioneers for the time being. This is fully shown in Mr. Shambaugh's pamphlet. He is also writing a monograph to be entitled, "Early Government in Iowa."

NOTABLE DEATHS.

HUGH W. MAXWELL died in Des Moines, on the 6th of December, at the age of 67. He was born in Illinois in 1827, and removed to Iowa in 1852, settling at Indianola. In 1856 he was elected county clerk, and being an able lawyer, was chosen in 1866 prosecuting attorney for the Seventh Judicial District. Upon the resignation of Judge Nourse, Mr. Maxwell was appointed to fill the vacancy in the office of district judge. He served about nine years in that capacity, and won universal esteem. During the war Judge Maxwell did good service in the commissary department. Several years ago he moved to Carthage, Mo., and afterwards spent some time in Arizona on account of failing health. About two years ago he returned to Des Moines, where his last days were spent. Judge Maxwell had a wide circle of friends in central Iowa who honor his memory as an irreproachable citizen, an able lawyer and a just judge.

JOSEPH BURTON, who died at Waukon, on the first day of December, was one of the pioneer settlers in Allamakee County. He was a native of Rhode Island, coming west in 1854 and settling on a farm, lying on the Makee ridge in Allamakee County. In 1861 Mr. Burton was elected to the lower house of the Ninth General Assembly, serving through the regular and extra sessions of 1862. He was 77 years of age at the time of his death. He was an excellent and useful citizen, widely known and highly esteemed in northeastern Iowa.

HON. HIRAM Y. SMITH died suddenly at his home in Des Moines, on the 4th of November. He was born in Piqua, Ohio, March 22, 1843, coming to Iowa in 1854. He graduated at the Albany, (N. Y.) Law School in 1866, and settled down in Des Moines to practice his profession. In 1875 he was elected District Attorney, which position he held four years. In 1881 he was elected to the State Senate from Polk County, serving with ability four years. In 1884 he was elected to Congress to fill a vacancy occasioned by the resignation of Hon. John A. Kasson. He was the founder and always the stanch friend of the city library of Des Moines. Mr. Smith had a large acquaintance in the State, and was highly esteemed as a useful and influential citizen.

THOMAS WATTS, who died at Deep Creek, in Clinton County, on the 3d of December, was one of the earliest settlers in that part of the State. He was born in Vermont in 1816, coming to Iowa in 1838. The Territory had been organized that year. Iowa consisted at that time of a vast region of wild prairie, interspersed with creeks, rivers and lakes, bordered by fringes of woods, and groves, which served as guides to hunters, trappers and emigrants traversing the great plains. Mr. Watts was charmed with the beauty and fertility of the new country, and took a claim in the Deep Creek Valley. Here he made a fine farm home upon which he spent fifty-six years of his life. It was to this home he took his bride fifty years ago. All of their children were born and reared to manhood and womanhood on the old homestead, where their father died at the age of 78. Mr. Watts held many township and county offices, and was an influential member of the Legislature of 1858.

WALDO M. POTTER, who died at Castleton, North Dakota, November 24, was for many years a prominent Iowa editor and politician. He was a native of New York, where he attained considerable prominence as an editor, and was active in the organization of the Republican party. He came west about the year 1873, and purchased an interest in *The Omaha Republican*, but did not remain there long. The next year he bought an interest in *The Davenport Gazette* and became its editor. In 1875 he moved to Clinton and purchased *The Herald*, which he conducted until 1881, when he removed to Fargo, in Dakota. Here he engaged largely in wheat-raising, on a fine farm which he purchased in the Red River valley. But his old love for journalism never died out, and he again became associated with the press of North Dakota. Mr. Potter was a strong man intellectually, a vigorous writer, and one who wielded marked influence wherever he lived. He was appointed by President Harrison Register of the United States Land Office, at Fargo, which position he held four years.

CAPTAIN WILLIAM HILLHOUSE, who died at Burlington on the last day of the year, was one of the most notable of early Iowa settlers. We hope to be able to secure his portrait and an extended record of his pioneer achievements for a future number of *THE ANNALS*.

DAVID D. SKINNER, who died at San Jose, California, on the 6th of December, was one of the earliest pioneers in Iowa. He was born in Ohio, in 1823, and in 1834 came with his father's family to Iowa. They settled at Montrose, Lee County, soon after the Indian title was extinguished. Mr. Skinner lived in Iowa under four different governments: Michigan, Wisconsin and Iowa, Territorial, and the Iowa State government. With his brother, W. W. Skinner, he established a plow factory at Davenport in early days, and in 1855 they removed their establishment to Des Moines where for a quarter of a century it was successfully carried on. D. D. Skinner has been a member of the City Council of Des Moines, and was one of the founders of the Central Church of Christ. He was well known and highly esteemed by all of the old residents of the Capital City where he lived so long.

DYER USHER, who died at Covington, in Linn County, on the 11th of December, was one of the earliest pioneers in the Cedar Valley. He emigrated from New York in an early day, first settling in Ohio, when that was a new country. About the year 1836 he moved to the then far west, and took up a claim near Moscow, in what is now Muscatine County. In 1839 Mr. Usher moved up the Cedar Valley, six miles north of Cedar Rapids, where he established "Usher's Ferry" across the river. He lived on good terms with the Musquaka Indians, with whom he often hunted, and carried on a large trade for many years. They called him *Nisheshin Schomokoman*, which signifies "good white man." He was a fine specimen of the early settler, tall, straight and well proportioned. He possessed an iron constitution, and dressed in the garb of the hunters of that period. He might have been the model for the bronze figure of the pioneer in the group which stands at the west entrance of the Capitol grounds. He was as expert with the old muzzle-loading, flint-lock rifle as Daniel Boone or David Crockett, and was proud of his skill with that weapon which especially belonged to his era of American frontier life.

CAPTAIN W. F. VERMILION, of Centerville, died at his home, December 28, after a very brief illness. He was an early settler in Appanoose County, having located at Iconium in 1857. He was commissioned Captain of Company F, in the 36th Regiment of Iowa Infantry Volunteers, early in 1862, and served gallantly through the rebellion. At the close of the war he entered upon the practice of the law at Centerville, and in 1869 was elected to the State Senate. He was an intelligent and useful legislator and acquired a wide acquaintance in the State during his term of four years.

AMELIA JENKS BLOOMER, who died at her home, in Council Bluffs, December 30, acquired world-wide fame as a dress-reformer nearly half a century ago. She was born in Cortland County, New York, in 1818, and when a girl of nineteen, became interested in the pioneer movement then being organized to secure an enlargement of the rights of women. In this work she became associated with Elizabeth Cady Stanton, Susan B. Anthony, Abby Kelley and other leaders of the movement. In 1840 Amelia Jenks married D. C. Bloomer, a lawyer residing at Seneca Falls, and soon after began to write for the press in advocacy of women's rights. In 1849 she established a semi-monthly paper, "The Lilly," devoted to temperance and the rights of women. It was ably conducted and soon reached a circulation of over 4,000. Mrs. Bloomer was a good public speaker and for many years lectured upon the two reforms in which she was so deeply interested. She was for several years associate editor of *The Western Home Journal*, a literary weekly. About the year 1851 a friend of hers, Elizabeth Smith Miller, (a daughter of Gerrit Smith) appeared in public dressed in a costume of her own invention, consisting of skirts reaching but little below the knee and wide Turkish trousers gathered at the ankle. Mrs. Bloomer soon after adopted the new costume and advocated it as a needed sanitary reform in women's dress. The public named the new costume "The Bloomer." For several years the dress reform found many advocates and patrons among women, but it was neither graceful nor becoming, and ridicule and fashion were weapons too powerful for it. "The Bloomers" gradually disappeared and the woman who was not the inventor found her name inseparably attached to the costume which she discarded many years before. Mrs. Bloomer was one of the organizers of the Iowa Woman's Suffrage Association, and its president for some time. When she began her work in 1845 for the rights of women, but three occupations were open to them, viz., housework, sewing and teaching. She lived to see them admitted into almost any occupation they may choose, elected to various public offices, and wholly or partially enfranchised in a large number of States and nations. Mr. and Mrs. Bloomer lived forty-one years in the beautiful home they selected in early days on the bluff overlooking the great Missouri valley and city of Omaha. There they celebrated a happy golden wedding four years ago, honored and respected by all who knew them.

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This new Department was established by act of the last Legislature for the promotion of historical collections pertaining to Iowa and the Territory from which our State was established.

The Historical Rooms are in the basement story of the State House, are fire proof, and will be a safe depository for valuable books, files of newspapers, pamphlets, manuscripts, maps, portraits and articles of value, illustrative of the history and progress of our State and its people.

Here it is desired to collect:

1st. A copy of all documents, papers or pamphlets, letters or manuscripts, relating to early settlements in any part of Iowa.

2d. Well authenticated facts relating to the naming of any of the lakes, rivers, counties, cities and chief towns of Iowa, stating the origin, significance, and authors of such names.

3d. Personal narratives; the biographies of men or women who were among the early settlers in any part of Iowa, giving details of all facts of public interest, incidents of pioneer life, etc.

4th. Copies of old Iowa newspapers, files of such papers up to the close of the War of the Rebellion; letters written by soldiers during the war; incidents connected with the organization of Iowa regiments, batteries or companies.

5th. Letters, diaries, commissions of officers, newspaper articles in war times, histories of companies and regiments, arms or equipments used in any of the wars, battle flags, etc.

6th. The name, date of establishment, and brief histories of Academies, Seminaries, Colleges and Universities in Iowa. Names of founders, and of all principals or presidents and date of term of service. *Catalogues and other publications.*

7th. Send to the Historical Department the stone axes, hatchets, mauls, pestles, arrow and spear heads, and not allow them to be wasted by scattering them elsewhere.

8th. We desire especially arms, household implements, or ornaments in use among any of the Indian tribes which have at any time inhabited Iowa; also recollections of the Iowa Indians by any of the pioneer white settlers.

9th. Photographs or engravings of public buildings of Iowa or Western historic places, and drawings, paintings or portraits relating in any way to Iowa or Iowa people.

10th. In short, we want copies of all circulars, pamphlets, political speeches, lectures, sermons, books or manuscripts referring to Iowa or the West, or prepared by Iowa men or women on any subject at any time or place.

Where owners of rare documents or valuable relics do not wish to dispose of them, they may be willing to deposit them in our fire-proof rooms where they will be secure from loss or destruction and carefully preserved, with the name of the owner attached, subject to withdrawal at any time.

We solicit from historical societies or similar organizations interchange of publications, and will cheerfully reciprocate such favors. We also respectfully solicit from authors and publishers of Western history or biography copies of their works for our Historical Library. All such contributions will be acknowledged in these pages.

All contributions should be addressed to the Historical Department, Des Moines, Iowa.

THE ANNALS OF IOWA.

The publication of this magazine is resumed after a suspension of several years, and will be continued by the Historical Department of Iowa.

In order to facilitate the collection and preservation of materials for Iowa history and biography, it is necessary to provide for the publication, from time to time, of such manuscript narratives and recollections as may be procured by this Department.

No better or more popular method of placing such contributions within reach of the people of the State has been suggested than through a magazine published quarterly for that purpose.

Each issue of the ANNALS will contain eighty pages, with one or more portraits of prominent Iowa men or women; and such other illustrations as can be procured, to add to the interest of historical and biographical sketches.

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